

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Howard Bruce Wright Jr

Wright Family

Mary E Grant, Et, al

(Enter above the full name of
plaintiff in this action)

v.

John E. Wetzel

Officer Fred Lucas /Carpenter,

Et, al / Judge Craig T. Trebilcock

(Enter above the full name of
the defendant(s) in this action)

CIVIL CASE NO: 1:19cv197
(to be supplied by Clerk
of the District Court)

FILED
SCRANTON

FEB 05 2019

PER [Signature]
DEPUTY CLERK

COMPLAINT

1. The plaintiff Howard Bruce Wright Jr a citizen of
the County of York State of

Pennsylvania, residing at 326 Gay Street

wishes to file a complaint under Palermo Protocol / 8 U.S.C 1324 / 1328, 18 U.S.C. 1591
13th Amendment, 28 U.S.C 1345 and 1348, And VII Civil Rights Act of 1964
(give Title No. etc.)

2. The defendant is John E. Wetzel, Fred Lucas, Carpenter/
Judge Craig T. Trebilcock

3. STATEMENT OF CLAIM: (State below the facts of your case. If you have paper
exhibits that give further information of your case, attach them to this completed form. Use as
much space as you need. Attach extra sheet(s) if necessary)

PENNSYLVANIA RULES OF CIVIL PROCEDURE TORT ACTION

42 U.S.C. § 1983

As in all civil action, allegation of time must be specifically. Plaintiff Howard Bruce Wright Jr, have here document and photo that the under grounds 42 U.S.C. §1983.

Plaintiff, Howard Bruce Wright Jr had file complaints for several years trying to get assistance from the used of "PALERMO PROTOCOL" where something happen in the State Departments Of Pennsylvania under 18 U.S.C. § 1591, 8 U.S.C. § 1328. Where has that I the plaintiff and family has been getting attack with Voodoo, Witchcraft for years now from a situation I can't explain or discuss at this time. Plaintiff Howard B. Wright Jr and family feel that family member of one of the biggest Historical Event happen race riots of 1969 was reason for what I am going through I in prison, carcerated at the time of conviction of all party. Plaintiff feel that he was the come back target if something went wrong with, Defendant career. He or she would use me to the state. I got used as a State Police Officer in two or more time in court proceeding on court docket CP-67-CR-0005665-2011 for Honorable Barry L. Bloss Jr of York, County and Honorable Richard K. Renn of York, County. I have since place employment trying to get assistance with this matter and continue to stay focus on getting my life together, as associate of defendant continue to attack me and family by moving here to York, County and getting employment to harass Plaintiff by trying to take over the whole county. I have document and photo of people using voodoo, witchcraft of them changing themselves and a lot of traffic being used to get to people for usage of witchcraft. I seen them working in the justice system here in York, County. I have a case herein documents a police officer stop me looking like a officer that is apparently decease. I have video but not in documents at this time. Officer that is apparently decease work at the department but was a Jr. Fred Lucas his brother work at the same department but they don't look a like. It is also in documents of someone using officer name Lucas and Plaintiff name Wright with the York, County wanted page next photo same person was on the Attorney General website for Drug Offenses. My vehicle has been getting attack by associates, I had a key taking from dealer at the time of purchase. After the stop from police officer Plaintiff, got attorney for court procedure and Judge Craig T. Trebilcock was using the usage of Voodoo, Witchcraft in court procedure. I have here Southwestern Law

Review Text on "PALERMO PROTOCOL" voodoo, witchcraft same of what I read the state had it going on in it state department starting with Department Of Correction Of Pennsylvania. Plaintiff, and family are born and raise in York, County.

WHEREFORE, Plaintiff Prays that AMENDMENT 9 the right not be deny in this matter, And under AMENDMENT 13 of the United State Constitution . Plaintiffs, also prays for Removal of all Appointed Officers. COMMONWEALTH rel Lehman .v. Sutherland/ Ewing .v. Filley 43 Pa 384 [1862] and under the Pennsylvania Constitution, AND Penal code 528.5/ code 3333-3343.7, 527.6 utilize in court procedures/ Plaintiff also ask the courts for award on health care expense and five million dollar / Plaintiff ask the courts for safe living situation for him and family. Plaintiff greatly appreciate the courts time in all of court procedure.

113 - pages
7 - Exhibit

PLAINTIFF.

Date

2/4/19

HOWARD B. WRIGHT JR

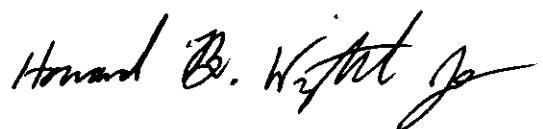


Exhibit 1



August 24, 2015

Howard B. Wright
177 Lincoln Street
York, PA 17404

Dear Mr. Wright,

Thank you for your correspondence addressed to Governor Tom Wolf regarding your concerns about the Department of Corrections. The Governor and the Department of Corrections are committed to reviewing and responding to correspondence from the public. We understand that the information and suggestions we receive will help keep Pennsylvanians safe, and appreciate you expressing your thoughts on these issues.

The Department of Corrections will take a closer look at the policy issues raised in your correspondence and will consider your views when decisions are made. We will also be sure to share your views with other policy makers.

For specific information about the Department of Corrections, our policies, and our commitment to public safety, please check out our website, at www.cor.pa.gov. If you are interested in legislation regarding public safety, please check out the General Assembly's website, at www.legis.state.pa.us.

Again, thank you for writing to the Governor and providing us with the opportunity to respond. If you have any additional thoughts or suggestions, please feel free to contact us again.

Sincerely,

A handwritten signature in black ink that reads "Alan Kennedy Shaffer".

Alan Kennedy Shaffer
Senior Policy Analyst

cc: Governor Tom Wolf

COR-0202635
COR-0203962

Governor
Mr. Tom Wolf
Office of the Governor
508 Main Capital Building
Harrisburg PA 17120

June 21st, 2017

Dear Governor Wolf,

I am writing to you in hopes to get help with my personal situation regarding the Pennsylvania Department Of Corrections. When I was serving my time in a corrections facility, I was mistreated by multiple Correction officers that put my safety at risk. I have contacted the Pennsylvania Department of Corrections, the Professional Compliance Office, the police, the local Senators, the Attorney General, and I have had my case in the Eastern District Federal Court. I have yet to receive any help. I have a lot of documentation pertaining to my personal situation. August of 2015 I wrote a letter to you, and it was sent to the Pennsylvania Department of corrections. Since that letter I have been harassed by the employees that were involved in the event at the Pennsylvania Department of Corrections. If I could schedule a few minutes of your time to go over my personal situation, that would be greatly appreciated. I appreciate any information or advice you can give me. Thank you for your time.

Sincerely,

COR-0202635

COR-0203962

Howard B. Wright
326 Gay Street
York Pa 17401

717-318-5315

Commonwealth of Pennsylvania
Office of Attorney General
Bureau of Consumer Protection

January 5th 2018

Re: Case BCP-17-05-021006

Dear Office of Attorney General,

I received a copy of the letter sent to you from Lancaster Mitsubishi regarding my complaint, Case number BCP-17-05-021006. I received copies of a picture and two forms explaining what I was given the day I purchased the car. I do not remember signing the form stating that I received 2 keys, the signature does not look like my signature. I only received one key at the time of purchase due to being told I could only be given one key at time of purchase and I would have to come back and pick up a second key at a later time. Also my original copy of the WE OWE form does not match the one sent to your office. I also took notice that the head sales manager at Lancaster Mitsubishi looked familiar, I believe he worked at the SCI Chester Prison in PA where I had served a sentence back in 2010. I had some legal issues there with the Staff of the prison and wrongful doing to inmates. Governor Tom Wolf handled the case from SCI Chester Prison just this past year 2017. Any help or advice would be greatly appreciated.

Sincerely,

Howard B. Wright

Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

April 6th, 2018

Dear Governor Tom Wolf,

I am writing you to enclose photos of the matter I had spoken to you about 2 years ago. I have photos of people in my daily community, and people who live around me. I just made a Police report on December 26th 2017, about Christmas gifts that went missing out of my car. I was at the Knotty Pine Tavern and Restaurant when I saw the ex-commissioner with my spare car key. Now I am aware that I have a case with the Attorney General about my care. I've also been trying to put in a criminal complaint and they are just not letting me. I feel as though I'm not getting anywhere. It's been 2 years, and in 5 months it will be 3 years that I have been dealing with this issue. I think this may be some kind of conspiracy theory because they got these people who are watching and harassing me, working in stores and restaurants, and every time I go into one it's a problem. It's like they are taking over York County. I don't want what happened to me and what I went through to happen again. Recently I found out information about the problem in the department. Please tell me what I can do. Your help or anything you can do is greatly appreciated. I just need serious help with my problem. I greatly appreciate your time.

Sincerely,

Howard Wright

326 West Gay Street
York Pa, 17401

Governor
Mr. Tom Wolf
Office of the Governor
508 Main Capital Building
Harrisburg PA 17120

December 18th 2017

Dear Governor Wolf,

I am writing to you in hopes to get help with my personal situation regarding the Pennsylvania Department of Corrections. When I was serving my time in a corrections facility, I was mistreated by multiple Correction Officers that put my safety at risk. I have contacted the Pennsylvania Department of Corrections, the Professional Compliance Office, Police, Local Senators, and the Attorney General. I have had my case in the Eastern District Federal Court. I have yet to receive any help. I have a lot of documentation pertaining to my personal situation. August of 2015 I wrote a letter to you, and it was sent to the Pennsylvania Department of corrections. Since that letter I have been harassed by the employees that were involved in the event at the Pennsylvania Department of Corrections. I also am having problems with Lancaster Mitsubishi. I purchased a car from them on 11/02/2016. I had requested to have a second key for the vehicle. I was told I couldn't have a second key on the date of sale. I had contacted Mitsubishi at a later time about the key, and was told that someone from the state has it. I have been having harassment issues from the Department of Corrections of Pa for 2 years. I would greatly appreciate a few minutes of your time to go over my personal situation. I appreciate any information or advice you can give me. Thank you for your time.

COR-0202635

COR-0203962

Sincerely,
Howard B. Wright
326 Gay Street
York Pa 17401
717-430-7276

Exhibit 2

SCHOOL

145c 1012

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HARRISBURG PATRIOT



2 convicted of officer's murder in '69 race riots

Some see change, others don't

Friday, March 14, 2003

BY IRVIN KITTRELL III

Of The Patriot-News

Police Capt. Bruce Veseth said he hoped the guilty verdicts of two black men in the 1969 shooting death of a white city police officer will bring "closure" to York.

Frank Drummon, however, had refused to go into the courtroom where Leon Wright, 54, and Stephen Freeland, 51, had awaited a verdict in the shooting death of Henry Schaad because he said he believed two black men charged with killing a white in York County had no chance of acquittal.

The verdicts of Wright and Freeland handed down by a jury of 11 whites and one black met with clashing emotions.

The 33-year-old case left some believing justice has been served. To others, it strengthened their belief that racial relations in York has remained stagnant.

"They have been doing this all of these years to blacks," said James Adams, who has lived in York since 1970. "Nothing has changed. Nothing."

Veseth said he believes a lot has changed since 1969, and he hopes York can rebound after enduring five months of trials prompted by the two racially motivated murders.

"It's time to move on and put this behind us," Veseth said, standing in front of the York County Courthouse. "We're not the same police department of 30 years ago and hopefully, we're not the same community."

Freeland's nephew, Jerome Kirkland, said he believes otherwise. "York is still living in '68 and '69," he said. "It's still racism in this town."

Barry Schaad, the brother of Henry Schaad, said the verdict brought closure to his family and should bring closure to the city. He said he believes the community is ready to accept the verdict and move on. He said he and his family had attended unity events attended by blacks and whites and hopes the community will support his family.

Prosecuting attorney Bill Graff said he believes the two trials in York show justice has been served.

"Let's put it all behind us and let's move on," he said. "It's closure. We all know these cases should have been solved back then."

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Page 2 of 2

After the verdicts, Wright walked from the courthouse, still free on bail, disappointed but upbeat.

"I knew this was going to happen," he said. "They ain't going to let no brother off. They're still the same. I don't see nothing changing."

York remained calm after the verdicts. There were no protesters, no calls for change, no violence. County workers filed outside of the courthouse during a steady drizzle, most of them without commenting on the trial.

Some people wondered aloud why Freeland and Wright were charged with second-degree murder -- the same convictions given to white gang members Robert Messersmith and Gregory Neff in the July 21, 1969, shooting death of Lillie Belle Allen. Former York Mayor Charlie Robertson, who was accused of inciting whites to violence against blacks, was acquitted in October.

Bobby Grant, a lifelong York resident, said the shooters had no idea who was in the armored police truck.

"They were shooting at a vehicle," said a man who identified himself as a friend of Wright. "They were shooting at a vehicle that was supposed to be an armored car."

Grant, like some others interviewed, said Messersmith, Neff and the other white youths who were on Newberry Street shot at Allen when they saw she was black after she exited her stalled car.

"They knew who they were shooting at," he said.

Grant, like others, said he doesn't believe the trials will cause problems in York.

"Kids today don't know anything about the cases," he said. "They seem to be preoccupied with other things." IRVIN KITTRELL III: 255-8142 or ikittrell@patriot-news.com

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FROM PA

The 1969 slayings of Allen and Schaad

July 17

Gang violence
breaks out

July 21

Lillie B. Allen
shot

July 18

Officer Henry C.
Schaad shot

General area:
where Schaad's
shooters stood



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30003



SCOTT BOHLEN/PHOTO

Lillie Belle Allen's sister, Hattie Dickson, second from left, enters the York County Courthouse yesterday with her family and friends.

nd

6/26/01

She into Court. the all-white gang was about

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Details surface in riots case

TUES NOV 6, 1970
■ The cousin of a suspect in a 1969 murder was apparently shot by police days later.

By JIM LYNCH
Daily Record staff

There was a touch of disappointment in William Wright's voice in July after he testified before the grand jury investigating York Police Officer Henry C. Schaad's 1969 murder.

Like Schaad, Wright had been the victim of a shooting near the intersection of College Avenue and Penn Street. The two shootings took place less than 36 hours apart and, until last week, no one had ever been arrested in either case.

After his grand jury appearance this summer, Wright told reporters outside the Valencia Ballroom that prosecutors had not been interested in what happened to him.

See DETAILS, page 7A

Family stands by Freeland

By TERESA ANN BOECKEL
and JIM LYNCH
Daily Record staff

Stephen Donald Freeland never told his family what he did the night York Police Officer Henry C. Schaad was shot in 1969.

They believe he had nothing to do with it.

"Although he is charged with murder in that shooting, family members said they believe he is innocent."

"I was shocked that he was arrested for this," Rita Freeland said of her brother. "It's not his character at all."

Freeland and Leon "Smickle" Wright were charged Oct. 30 with first- and second-degree murder in Schaad's death. Schaad was riding in an armored vehicle near the West College Avenue bridge when one—or more—bullets ripped through the metal plates and hit

See FAMILY, page 8A

Prison

The judge summoned Stankevitz to the bar to tell him he was responsible.

Continued from 1A

and yours," he said. The man who had eliminated him in the Red Lion area school actually began years before building on the last of four failed relationships. Stankevitz met Larisa through an international introduction service and traveled to Kazakhstan to bring her and her two daughters to the United States. The couple was married in February 1995 but after two months Larisa wanted out. She filed for a protection from abuse order, alleging Stankevitz had molested her children.

The allegation dismissed during a court proceeding as unfounded, still outraged Stankevitz. He told Dorney that in his mind he was being sentenced not for attacking school children, but for the accusatory allegation, the accusation, that triggered the attack.

"I was her marriage mate to take her and her children out of poverty," he said. "Then she accused me of such a foul deed. I'm not going to jail for this, I am going to jail for child molestation."

Blumberg and Sadler agreed that Stankevitz, the product of a dysfunctional family, while "not out of touch with reality" transferred his anger and frustration from his wife, who he could not locate, to the school her children had attended.

In an interview with the county probation department after his guilty plea, Stankevitz referred to the school attack as his "own twin towers." "He's not a victim," said principal Noria E. Benzel, who suffered crippling injuries to both hands when she fought with Stankevitz to protect herself, her staff and the school children.

DAILY RECORD/CHRISTOPHER DAVIS

Linda Collier, a teacher at North Hopewell-Wintersett Elementary School, said she was pleased with the sentence received by



Nonie Bierzel, principal of North Hopewell-Wintersett Elementary School, confronted William Michael Stankevitz for a second sentencing hearing, Monday at York County Courthouse. During Stankevitz's trial Monday, he looked into the eyes of the man who wounded her hands with a machete as she fought to protect children and teachers at her school.



DAILY RECORD/CHRISTOPHER DAVIS
William Wright, his senior year yearbook photo

Details

Continued from 1A

"They didn't want to hear anything about that," Wright said. Investigators were, perhaps, more interested in Wright's cousin Leon "Smidk" Wright—one of two men charged in Schaefer's murder last week.

Yet, the police in 1969 and investigating officers today right slay, ready know who shot William Wright. But until now, neither the man who took the bullet nor the man who fired it knew about the other.

The police version:

After the Schaefer shooting, both York and state police officials stationed officers atop some of the area's tallest buildings to gather intelligence and watch for trouble. According to state police reports, many were equipped with binoculars and telescopic sights. The hope was that they would be able to better locate the salaried who had been plagueing emergency crews around the city for days. It was called sniper suppression duty.

In those early morning hours on July 20, York Police Officer Charles Strayer was on the top floor of the Denby's building at 500 College Avenue. The four-year veteran of the force already had been at his post for several hours when he spotted four black men down near Sam's.

"Two of the men booted the others onto the roof of the bar. The pair, on the ground crouched behind a green truck.

Within 15 minutes, a blue Chevy Corvair passed through the intersection. A white man was at the wheel.

One of the two men behind the truck sprang up, semi-automatic rifle in hand, and fired at the car, according to the state police report.

Strayer put the man in the cross hairs of his .300 Magnum and fired. The recoil of the rifle pushed Strayer's eyes off the target momentarily.

"When I pulled the trigger,

the rifle jumped," Strayer said while recalling the shooting on Monday. "It wasn't positioned on a tripod or anything. It went straight up, and had real good

eral days in intensive care before his condition improved. Three months ago, Wright told reporters he still had no idea who shot him. More recently, Wright could not be reached for comment.

The outcome Police documents from the period provide little detail of an investigation after the shooting. Strayer said most of what he remembers matches with the Police Report, which he saw for the first time Monday. A few discrepancies are there, however, like the report putting him on top of the Denby building. He recalls being on one of the upper floors.

He added that he never saw the target again after firing the first shot. It is unclear where some of the additional detail in the report came from.

The police report shows State Police Cpl. Kenneth Market, who later became county sheriff, led the investigation. Strayer said he remembers state and local police were joined by at least one FBI agent in his interview. Eventually, Market arrived at the scene.

"It is the opinion of this investigating officer," Market wrote, "that the victim William Wright was shot and wounded by Peterloman Charles W. Strayer who was acting in the performance of his duties in the protection of life and property of the citizens of York, and that William Wright was engaged in discharging a firearm with intent to do bodily injury to white persons traveling through this area."

In the report, Market, now retired, questioned Wright's version of the story. If, as he claimed, Wright had been sitting on the curb facing south, it would have been impossible for him to be shot in the back. The wall of Sam's was only 10 feet away.

Strayer was said he was left in the dark as to who he fired at, or even if he hit

Less than a year after the shooting, Strayer left the York Police Department to work as an investigator.

LAWYER FOR DEFENDANT

By TERESA ANN BOECKEL
Daily Record Staff

A York County judge has appointed an attorney to represent Leon "Smidk" Wright in the 1968 murder of York Police Officer Henry C. Schaefer.

Harrisburg defense attorney William J. Fulton accepted the appointment Monday from Judge John C. Utter.

Fulton said he has not seen Wright or reviewed his court papers. He hopes to meet with his client this week.

Fulton is the second defense attorney to be appointed in the murder case. Terrence McGowan is representing Stephen Donald Freeland, although Freeland's family said Monday they hope to hire an attorney for him.

Fulton and McGowan are well-acquainted. They have represented co-defendants in several cases, including a federal trial, Fulton said.

And both are familiar with the time-delayed argument, which is being used in the Little Belle Alien murder case.

The argument is that the delay in charging people in this 32-year-old homicide hurts their ability to defend themselves. Memories have faded and witnesses have died.

Fulton said he and McGowan used that argument in a court case years ago. Fulton said his client was exonerated—but not on that argument.

McGowan's client was found guilty. That case is now on appeal before the state Supreme Court, Fulton said.



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FAMILIES

Probe opens old wounds

Continued from Page A1

said. "If the murder has just always been out there, this will hopefully bring some closure to the family."

Bittersweet news: Still, for the families of Schaad and Allen, reopening the investigation also meant opening barely healed scars. They all expressed relief and satisfaction about DA Stan Rebert's efforts to solve the murders, but said the news was bittersweet, primarily because justice has been delayed for so long.

"I appreciate what they're doing now, but there's still a question in the back of my mind," Dickson said. "Why did it take so long? That's the million-dollar question. It's as if we were just thrown away and forgotten."

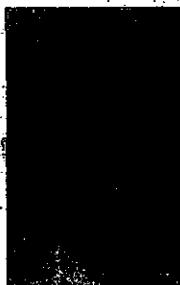
"I lived up here all those years and nobody ever mentioned it," she said. "I was angry at the system — at the law."

But Allen's sisters said they are prepared to wait patiently for the grand jury's decision, and since a grand jury can meet for at least 18 months — or even two years if a one-time six-month extension is granted by the court — it could be some time before they learn whether Allen's killer or killers are indicted.

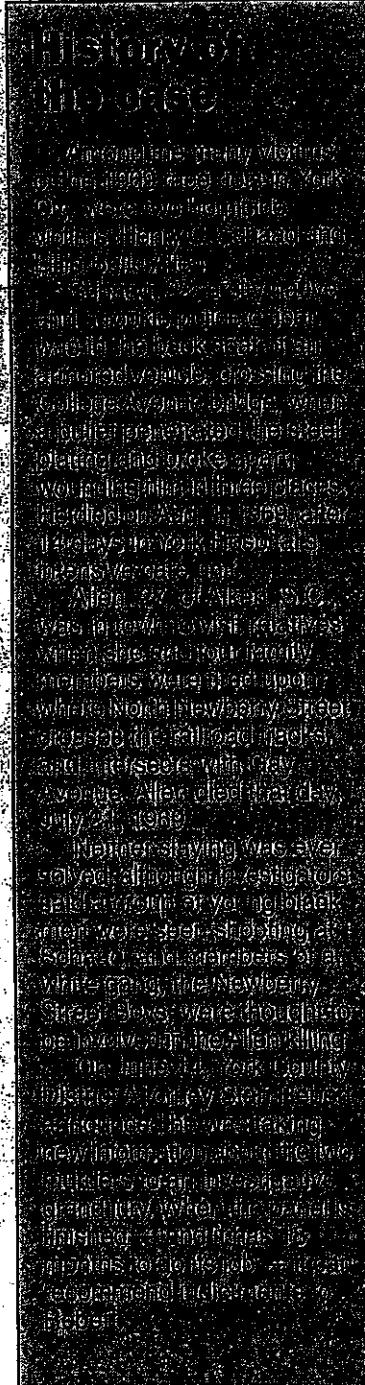
"We've waited 31 years already," Oden said. "We can



Schaad



Allen



wait it out."

"If justice is going to be served... it'll be worth it," Dickson agreed. "A few more years won't matter."

"But we would, as a family, be more hurt if there was no indictment," Oden added.

Like Allen's sisters, Howe feels that this should have been handled long ago.

"For me, it's 31 years too late," Howe said. For her, wait-

ing isn't easy. "It's emotionally draining," Howe said. "I'm hoping... things will progress more rapidly."

No surprise: Her uncle, Barry Schaad, sounded confident about the investigation. He said he wasn't surprised when Court of Common Pleas President Judge John C. Uhier last week granted Rebert's request to convene a grand jury.

"We already felt there had to be good probable cause for them to reopen the case in the first place," he said, so his family expected Uhier to agree. "We were hopeful from the very point (prosecutors) announced they were reopening the case," he said.

Henry Schaad's widow, Sonja Schaad Gilmore, said she's more bothered by the old feelings the investigation has triggered in her than by the impending wait.

"It brings back all the memories for me. It's so vivid in my mind," Gilmore said. "He was my whole life, and then he was gone — and it was senseless."

Gilmore and Howe both are angry that Henry Schaad's killers have been allowed to live three decades — an entire lifetime — free.

"I don't feel it's right they get to go on and live their lives," Gilmore said. "I feel God wants them to be punished. An eye for an eye ... I believe that."

Oden said that "once upon a time," when she was in her late teens and early 20s, she was very angry that no one was ever punished for killing her sister. But over the years, she's let go of that anger. "I'm a Christian now. I've been taught about holding onto hate."

Oden and Dickson said that, while they are able to forgive Allen's killers, that doesn't mean they don't want to see the men put in jail.

"Why hasn't anybody shown some remorse," a frustrated Dickson asked.

Dickson said she longs for the day when people don't use guns, knives or fists to settle problems.

"We all can live in York in harmony — without trying to hurt the other," she said.

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RACE RIOT

Wright facing charges

Decision on hold until
2 guilty men sentenced

By MARK SCOLFORO
Dispatch/Sunday News

XO YSN
APR 13 2003

Michael E. "Picklenose" Wright, the witnesses whose bombshell testimony implicated both defendants and himself in the 1969 murder of a York City police officer, will face charges of his own, a prosecutor said Friday.

But Chief Deputy Prosecutor Bill Graff said the York County District Attorney's Office has not determined the charges.

That decision is on hold until after Wright's brother, Leon F. "Smickel" Wright, and co-defendant Stephen D. Freeland are sentenced April 21, he said. The two were convicted of second-degree murder last month for the shooting death of Officer Henry Schaad during the race riots in York.

"I'm not going to do anything to interfere with sentencing," Graff said. "When that's all done, then we'll deal with Mike Wright."

Surprising testimony: Michael Wright was not considered a crucial witness before he took the stand during the third day of testimony in the case. Defense lawyers, observers and even Graff said they were taken by surprise when in response to Graff's question about who fired at Schaad the night of July 17, 1969, Michael Wright replied, "We all did."

He made that admission without the benefit of a deal with prosecutors, and without consulting with a lawyer.

One juror later said Michael Wright's testimony was an important element in the case against Freeland and Leon Wright.

Michael Wright, who lives in Baltimore, could not be reached for comment Friday. But hours after his testimony, he said the possibility of being charged did not concern him.

"I'm not really worried. But all I can tell you is we were young people and scared," he said then.



Wright ...
implicated
himself in
the 1969
shooting of a
policeman.

■ WRIGHT

Facing charges

Continued from Page C1

prior statements to police and the investigative grand jury looking into the killing, according to trial testimony. In all of his earlier statements, he apparently denied having any involvement in Schaad's death, according to lawyers involved in the case.

The precise nature of any charges against him will be worked out after consultation with York District Attorney Stan Rebert and with Schaad's family, Graff said.

Prosecutors used a theory of "accomplice liability" to arrest the two defendants in the Schaad murder and 10 men for the other 1969 riots murder, that of Lillie Belle Allen. According to that legal theory, everyone who fired toward the victims — not just the person who fired the fatal shot — is equally culpable.

In the Allen case, two men were found guilty of second-degree murder, one defendant was acquitted at trial, and seven others have pleaded guilty to lesser charges.

Rookie patrolman Schaad was answering a call about a gunshot victim when a .30-caliber bullet pierced the metal of a converted bank truck and struck him in several places. He died two weeks later at York Hospital.

Freeland and Leon Wright face possible maximum sentences of 10 to 20 years in prison. Freeland remains in jail on an unrelated drug charge; Leon Wright is out on bail.

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Arrests

Continued from 1A

"I think all of the York Police Department is relieved that the case has come this far," 12-year-old York Police Capt. Bill Vangreen said. "It's a good feeling to see these individuals brought to justice. That officer [of Schraad] was a reminder to all of us not to give up."

Mayor Robertson said he did not think his lawyers would want him to talk about Schraad's murder because of his own arrest in the Allen case. He did say the arrest of Freeland and Wright did not surprise him.

When he was a police officer, he arrested Freeland in 1970. His own arrest was still on his mind, though. Robertson claimed the District Attorney's office had targeted him. "They've tried to destroy me," he said. "But I'm going to stand tall."

City Councilman Wm. Lee Smallwood said the names of Freeland and Wright have been tossed around the black community for more than 30 years. "If they have the evidence to prove the case, then go for it," Smallwood said. "If the person did the crime, they have to do the time." Neither Councilman Toni Smith nor her husband, Ed, a former city policeman, were shocked by the news of the arrests. "These names have been around for years," she said.

Councilman Ray Crenshaw, who spent most of Tuesday campaigning for mayor, had not heard the news by the time he returned home from an evening debate.

"I'm happy to see that the grand jury has followed through, and they have found the evidence to indict people," he said. "That's the way it should be. It's good to see the system still works."

Just like some of the men arrested in Allen's murder, Freeland and Wright were well-known to police — both having criminal records — and had been mentioned as suspects in the related murders.

Authorities said witnesses who would not talk or who lied to police in the past were now

The players

On July 17, 1989, the shooting of Bill Schraad helped the increasing racial tension in York. The next day, Henry Schraad, a 22-year-old rookie York City police officer, was fatally wounded during a shooting at the College Avenue bridge. These events preceded the death of Lila Belle Allen on July 21, 1989. Robert Mersmann was convicted of shooting Schraad, but the Allen and Shifield cases remained unsolved for 22 years. Nine men, including York Mayor Charlie Robertson, were arraigned after the year and charged in connection to Allen's death.

On Tuesday, Grand Jury recommended that no man, Stephen Freeland and Leon Wright, be arrested and charged with criminal homicide in connection to Schraad's death.

"They have been in every courtroom and cranny," York County District Attorney Stan Robert said at a letter-press conference. "This case is 30-plus years old, which made it difficult to investigate. Memories faded, people have passed away."

Investigators from the district attorney's office, York Police and Pennsylvania State Police eventually found and interviewed everyone they sought.

"We tried to interview everybody who was on that corner that night," Grant said. "We'd get one person to give up another person. We looked over single person, we located every single one, and he died two weeks before we got them."

In 1989, "people lied" to the police investigating Schraad's shooting, Graf said.

"They've been lying to investigators for years," said First Deputy District Attorney Ed Fackey. "For some reason now they have decided to tell the truth. For some, people really have a sense of loyalty to their communities. They were going to their graves. That was a stumbling block for us."

Freeland, and Wright were the only suspects whose names were submitted to the grand jury, Graf said. He said there would have been more, but those suspects whom he refused to identify are dead.

"It is possible," he said, "that other recommendations may be made to the grand jury. We're not done by a long shot. I'm not done interviewing people."

Even as Freeland and Wright were taken into custody, the grand jury gathered at Sam and Tony's Celebrations Banquet Hall on West Market Street. York County Sheriff's deputies brought two witnesses to the building in the morning, and again later in the afternoon. Both of them, Ronald Kirkland and Napoleon Ballman, had nothing to say to reporters as they were led to and from the building.

Kirkland, in jail on a bench warrant, was released Tuesday.



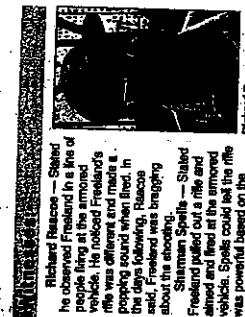
Kirkland



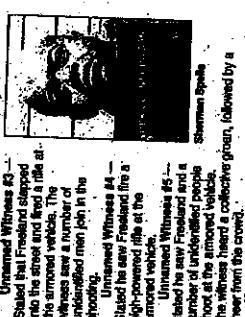
Wright



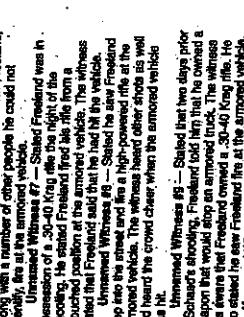
Freeland



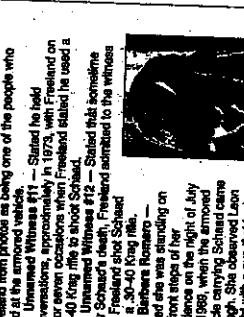
Schraad



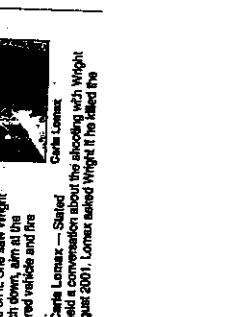
Wright



Freeland



Schraad



Wright



Sheriff

Deputies

Witnesses

Others

etc.

Schaad

YORK DAILY RECORD ■ WEDNESDAY, SEPTEMBER 18, 2002

Dover man charged with rape. **2C**

LOCAL

Wright wants trial moved

■ His attorney said Leon Wright cannot get a fair trial in York.

By RICK LEE
Daily Record staff

Murder suspect Leon F. "Smickle" Wright declined to join co-defendant Stephen D. Freeland's request to have a local judge step aside from all future proceedings in the 1969 killing of York Police Officer Henry C. Schaad.

But Wright, represented by attorney William J. Fulton, is asking that the unscheduled trial be moved out of the county because of "inflammatory and prejudicial" publicity.

Fulton also reserved the right to ask for Common Pleas Court Judge John C. Uhler's removal from the case and a separate trial from Wright's co-defendant, Chief Deputy Prosecutor Bill Graff, who is spearheading the

Freeland and Wright are charged with first- and second-degree murder in the shooting death of Schaad as the officer patrolled the city in an armored vehicle during race riots 33 years ago.

Fulton's petition, filed Tuesday, also seeks the release of "any evidence favorable to the accused," other evidence that may be released at the "discretion" of the court and suppression of Wright's grand jury testimony.

"But the judge will schedule a hearing, and he'll make the decision," Graff said.

As for the remainder of Wright's requests, Graff said he viewed them as "standard pre-trial petitions."

Fulton provided Uhler with a



Wright

Freeland

lengthy explanation for a change in venue request and why he believes Wright cannot expect a fair trial before a York County jury.

He contended the investigations of the Schaad shooting and the slaying of Lillie Belle Allen, a black woman killed days later, resulted from media retrospectives on the 30th anniversary of the unsolved deaths.

Fulton alleged that "prosecutorial interest" in the homicides "arose directly from the press coverage" and that there grew a "symbolic relationship" between the media and the grand jury investigation.

"But the judge will schedule a hearing, and he'll make the decision," Graff said.

As for the remainder of

Wright's requests, Graff said he

viewed them as "standard pre-

trial petitions."

Fulton provided Uhler with a

case also has drawn the attention of national news outlets to the Schaad case, Fulton said.

"Because of the racial dichotomies" — former members of a white street gang allegedly killing a black woman and two black men reportedly killing a white police officer — "the media attention has had an ongoing inflammatory and prejudicial effect in the local community," Fulton stated.

"... a fair trial can be ensured only by transferring venue to a judicial district not contaminated by the dark and inflammatory history of this matter..." Fulton said.

Reach Rick Lee at 771-9707 or at rlee@ydr.com.

RONALD SUTT

Mayor makes case in letter

■ Robertson has been out of view in recent days, but a mailing asserts his innocence.

By JIM LYNCH
Daily Record staff

Crunch time.

In a political campaign, it's traditionally the last few days and weeks leading up to election day — a period when candidates can't shake enough hands, attend enough public events or get enough face time on local television.

For those in the camp of York Mayor Charlie Robertson this week, as well as other members of the Democratic Party, crunch time has a much different feel this time around.

With the primary just three days away, these are uncharted waters.

This time around, the mayor is keeping out of the public eye and he is asking city Democrats in a letter to not link him with a decades-old murder when they go to the polls Tuesday.

York City Councilman Ray Crenshaw is bidding to unseat Robertson in a race that seemingly has more to do with issues of 30 years ago than those of today.

See MAYOR, page 10A



Robertson

■ SATURDAY, MAY 12, 2001

Mayor

Continued from 1A

Months of grand jury investigations recently generated four arrests in the 1969 murder of Lillie Belle Allen on North Newberry Street. Court documents have also raised the possibility of Robertson's involvement in the crime.

An "unnamed police officer" mentioned in affidavits is accused of shouting "white power" at a rally of white youth gangs the day before Allen's murder. Prosecutors also believe that officer encouraged whites to bring weapons to North Newberry Street and provided ammunition to those who fired on Allen.

Robertson, who was a city police officer at the time of the murder, has acknowledged he shouted "white power" at the rally. But he has steadfastly denied providing ammunition to anyone or encouraging others to bring weapons to North Newberry Street.

Since the first arrests were made on April 26, the pressure and media attention on Robertson has increased seemingly every day. For the last two days, Robertson has purposefully limited his time in the public eye.

That does not mean, however, that the crunch-time campaigning is over.

In a simply-worded mailing to Democratic voters dated Wednesday, Robertson managed to restate his innocence, hinted at his belief that the handling of the grand jury activity is politically motivated, and urged his supporters to keep the faith.

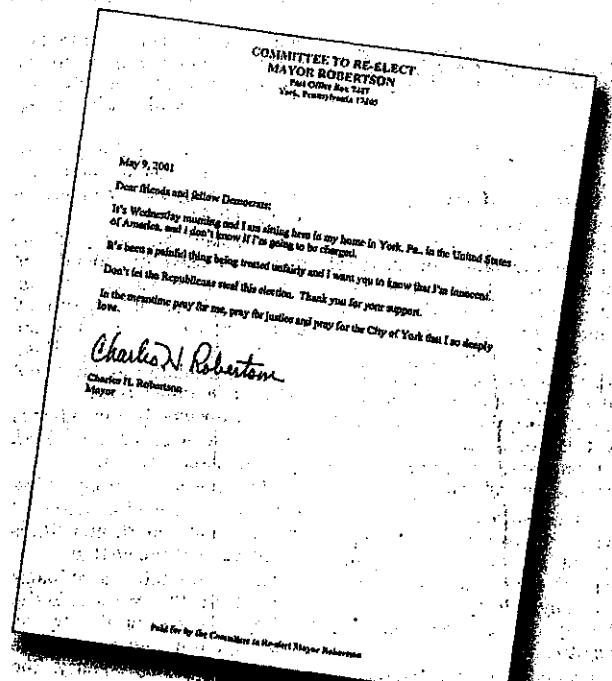
"It's Wednesday morning and I am sitting here in my home in York, Pa., in the United States of America," Robertson wrote, "and I don't know if I'm going to be charged."

"It's been a painful thing being treated unfairly and I want you to know that I'm innocent."

As time has passed following the first arrests, some of Robertson's supporters have begun to cry foul over the York County District Attorney's Office's handling of the mayor's possible involvement. Robertson's letter seemingly supports that suspicion.

"Don't let the Republicans steal this election," the letter reads. "Thank you for your support."

The Committee to Re-Elect Mayor Robertson paid for the mailing. On Friday, campaign



chairman Tom Wolf said it was Robertson's attempt to cut through the media's handling of the grand jury activity which has made the campaign a one-issue affair.

"This was Charlie's opportunity to say, on the record, 'I'm not guilty,'" Wolf said.

For Wolf and other Robertson supporters, the greatest frustrations are the uncertainty and questions about what might have been. Without the specter of the grand jury hanging over them, Wolf said the mayor would have had several strong issues to hammer home during the campaign.

But that opportunity has gone by the boards.

Despite his continued optimism about Robertson's chances for success in Tuesday's primary, Wolf said media handling of the race and of the riot investigation has served to link the mayor and the investigation in the mind of the public.

"Do I think the sum total of all the coverage makes people believe Charlie Robertson is the unnamed police officer? Yeah," he said.

As for the district attorney's office, Wolf said the effect of the affidavits released two weeks ago is unfortunate. But he sees nothing sinister in prosecutors' handling of the situation.

"I think it's so sad," he said, "and I think it's unfortunate. I think it's disruptive for the city and for Charlie Robertson. But I think the district attorney's office is doing what they think is right."

At a Tuesday meeting of city department heads, Robertson named Business Administrator Michael O'Rourke as his replacement in case the mayor is arrested. Both Wolf and Democratic Party Chairman Eugene DePasquale said they have not begun to consider what-if scenarios for the possibility of such an arrest.

Wolf said he still expects to attend a victory celebration for Robertson at the White Rose Cafe on Tuesday night once the results are in.

DePasquale said the party has guidelines in place in the event any primary winner is unable to fulfill their duties.

"If a candidate who wins the Democratic primary in the spring has to withdraw for any reason," he said, "basically the state Democratic Party would have the option to replace him or her. Usually, they will then defer to the county party."

Reach Jim Lynch at 771-2088 or jlynch@ydr.com.

Robertson

U.S. NEWS

A mayor, a murderer, a martyr

*New charges rekindle
a decades-old killing*

BY KIT R. ROANE

YORK, PA.—On a steamy night in July 1969, Lillie Belle Allen was looking for a grocery store with her family when they took a wrong turn at Newberry Street and Gay Avenue. It was an innocent mistake with a tragic consequence. A city already roiled by riots erupted in violence again. A man stepped from an angry white mob and pulled the trigger of a shotgun as Allen stepped from the family sedan and screamed: "Don't shoot!" Dozens of others then opened fire on the car as her family cowered inside. Lillie Belle Allen, 27, became another martyr to racial intolerance.

Hundreds of people saw the crime, but for 32 years no one was charged. Now an indictment accuses the current mayor of York, Charles Robertson, as an accomplice. Robertson, 67, was a police officer at the time. The day before Allen was shot, he had chanted "white power" at a rally. Like many before him, Robertson now says he, and York, have changed.

Today, the intersection of Newberry and Gay is a lonely cluster of sagging row houses, broken stoops, and "no trespassing" signs. Fittingly, it has the look of a place with a haunted past. Now the new indictments threaten to awaken its old ghosts. Allen's sister, Gladys Oden, hopes "justice will finally be served." But others urge a quiet retreat. "They should just sweep this thing under the rug," says Ronnie Young, 39, a Confederate battle flag pin on his hat. "Let the past be past."

But in York, that's proving to be impossible, and late last week Mayor Robertson admitted as much in dropping his bid to be re-elected to a third term this November. The pressure had been mounting all week. The local congressman, Rep.



Mayor Robertson



THE YORK DISPATCH / SUNDAY NEWS / GETTY IMAGES

Racial tensions roiled York, Pa., in the summer of 1969.

• "York has grown, but there is still racism. Change comes very slow."

Todd Platts, and the local chapter of the NAACP had urged him to resign; the FBI opened a preliminary civil rights investigation. Robertson said dropping out of the race was the "right decision" for York but "the most painful decision I have ever made."

Allen's murder is a stark reminder of how insidiously the nation had been ripped apart along racial fault lines three decades ago. This manufacturing city, 50 miles north of Baltimore, is perhaps best known for its Peppermint Pattie confections. It was poor and segregated, and its predominately white police force was ill equipped. Neighborhood gangs and vigilantism ruled. On July 17, 1969, two sparks ignited the city. A black youth, who burned himself with lighter fluid, blamed a white gang; then an unknown gunman shot a black teenager being questioned by police. The next day a white police officer, Henry C. Schaad, was fatally gunned down.

"Commando raids." It was in this boiling farrago that Allen and her family found themselves when they stopped in York to visit family on their way from South Carolina to New York City. The Newberry Street crowd saw the family's 1961 Cadillac. Someone yelled: "It's niggers, and they have guns!" The Caddy stalled on the railroad tracks. Allen, unarmed, was killed as she got out, waving her arms to calm the crowd.

Robertson was in an armored car about

a block away and was one of the first officers on the scene. The indictment charges that in addition to his "white power" remarks, Robertson gave ammunition to Newberry Street residents. He also allegedly told them that "if I weren't a cop, I would be leading commando raids against niggers."

The York County district attorney's office reopened investigations into both the Allen and Schaad murders when a newspaper story two years ago revealed new leads. While prosecutors won't comment on the case, Robertson vigorously denies the charges. He says he did nothing wrong except yell the slogan. "Yes, it was a racist statement, but these were common," he explains. "Do I agree with that talk now? No. And I haven't for some time."

Blacks and whites have almost always had an uneasy separation in York. Jim Kalish, author of *The Story of Civil Rights in York, Pennsylvania*, says that blacks first arrived as slaves and were the only nonwhite part of York's population until Hispanics began moving there in recent decades. Blacks were never treated as equals. They lived in substandard and essentially segregated housing, and police repressed them. As a 1968 Pennsylvania Human Relations Commission study warned, riots were almost a certainty if the "status quo as York knew it didn't change."

The question for York now is not just how much the mayor may have changed but how much the city has matured. "York has grown, but there is still racism," says George Ruffin, a black bail bondsman who provided bail for one of the whites charged in the Allen attack. "Change comes very slow." •

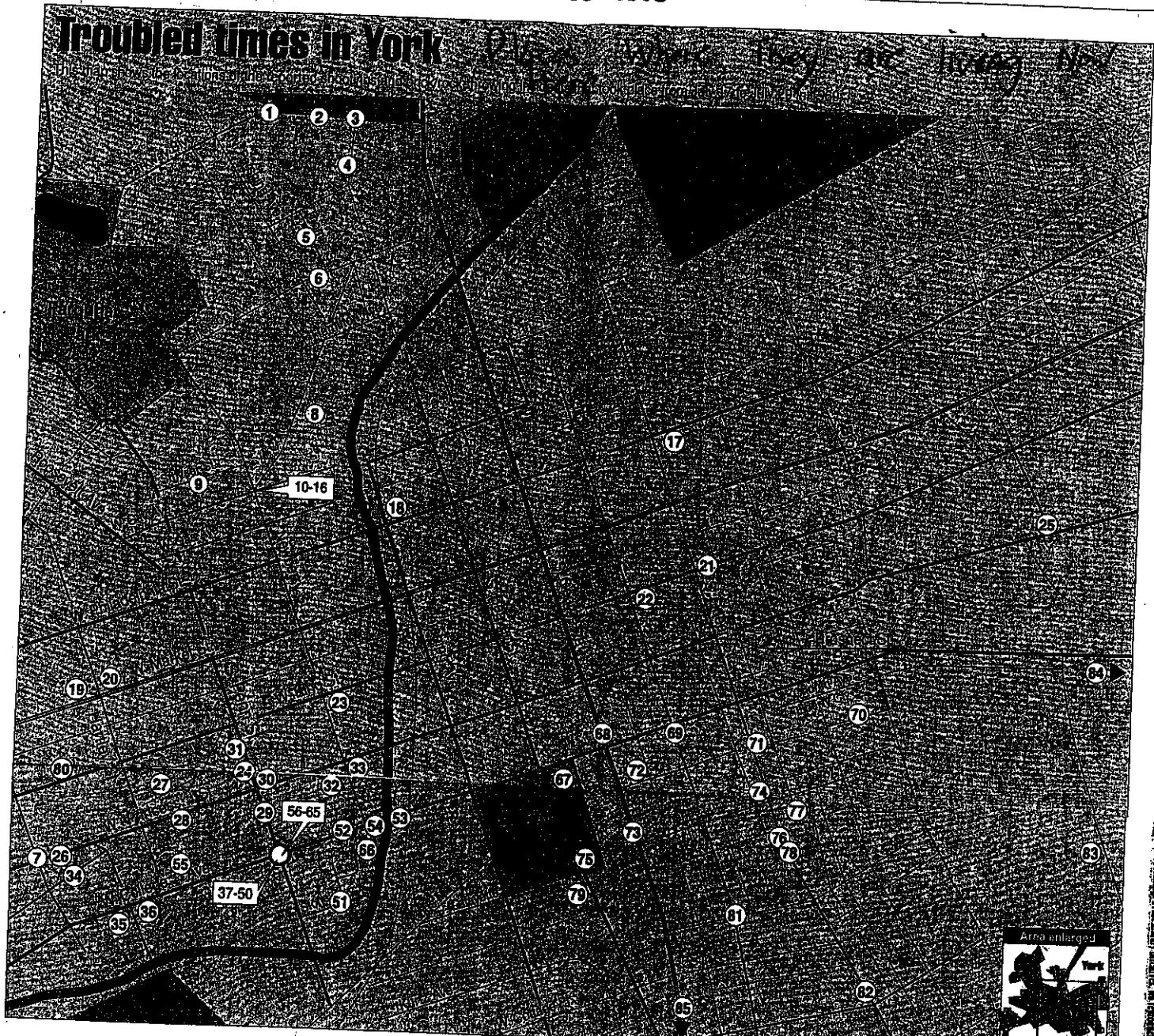
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YORK DAILY RECORD

1969 RIOTS

WEDNESDAY, OCTOBER 31, 2001



Reports depict bloody summer of '69

Exhibit 3

Commonwealth of Pennsylvania



York County Court of Common Pleas 19th Judicial District

01/15/2019

Complete list of cases on Payment Plan:

CP-67-CR-0004140-2002	Comm. v. Wright, Howard	Payment Plan #: 67-2010-P000005996
CP-67-CR-0004486-2002	Comm. v. Wright, Howard	
CP-67-CR-0001175-2002	Comm. v. Wright Jr., Howard	
CP-67-CR-0002746-2000	Comm. v. Wright, Howard	
CP-67-CR-0002747-2000	Comm. v. Wright, Howard	
CP-67-CR-0000469-1998	Comm. v. Wright, Howard	
CP-67-CR-0004801-2008	Comm. v. Wright, Howard Bruce Jr.	
CP-67-CR-0007869-2008	Comm. v. Wright, Howard Bruce Jr.	
CP-67-CR-0005665-2011	Comm. v. Wright, Howard Bruce Jr.	

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF HEALTH
VITAL RECORDS

WARNING: IT IS ILLEGAL TO DUPLICATE THIS COPY BY PHOTOSTAT OR PHOTOGRAPH

Certification of Birth

Date of Birth: **DECEMBER 20, 1976**

State File Number: **148409-1976**

Date Issued: **AUGUST 22, 2016**

Date Filed: **DECEMBER 24, 1976**

Name: **HOWARD BRUCE WRIGHT JR**

Sex: **MALE**

Place of Birth: **YORK COUNTY**

Mother/Parent's Name before first marriage: **MARY EDITH MURRAY**

Father/Parent's Name: **HOWARD BRUCE WRIGHT**

This is to certify that this is a true copy of the record which is on file in the Pennsylvania Department of Health, in accordance with the Vital Statistics Law of 1953, as amended.

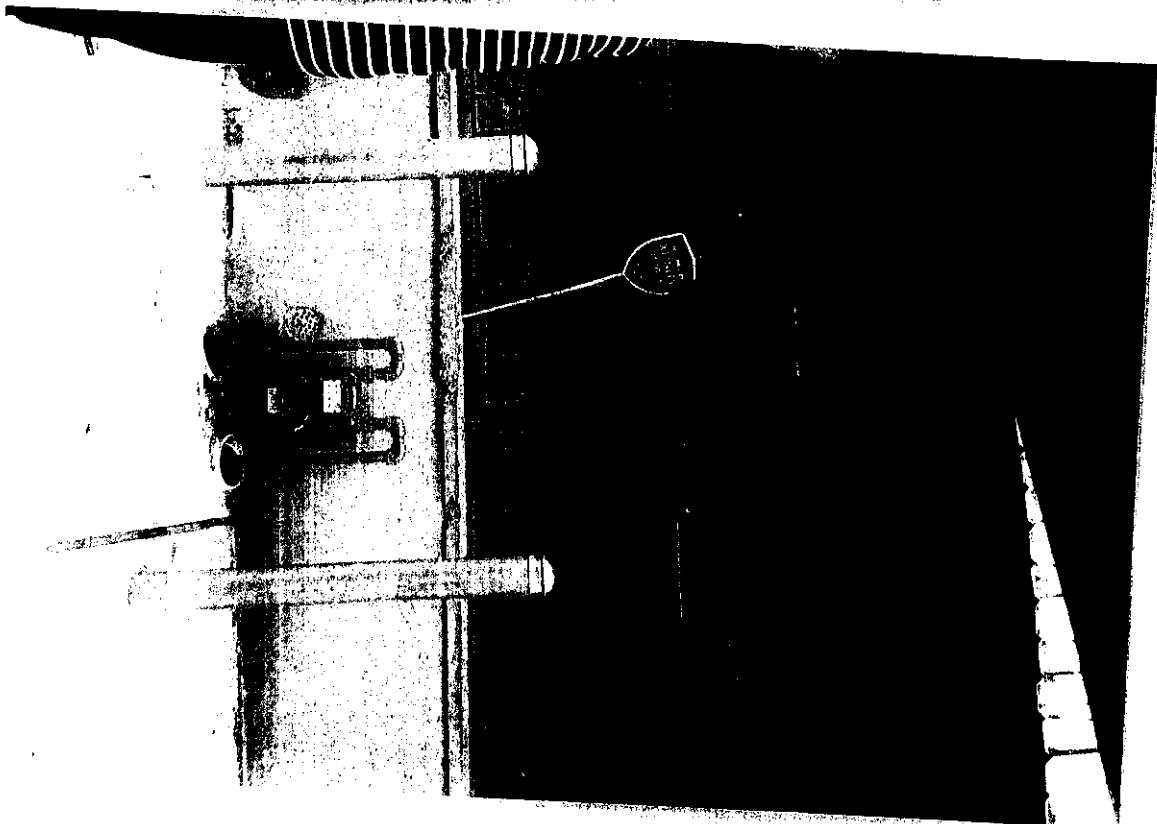
Debra M. Romberger

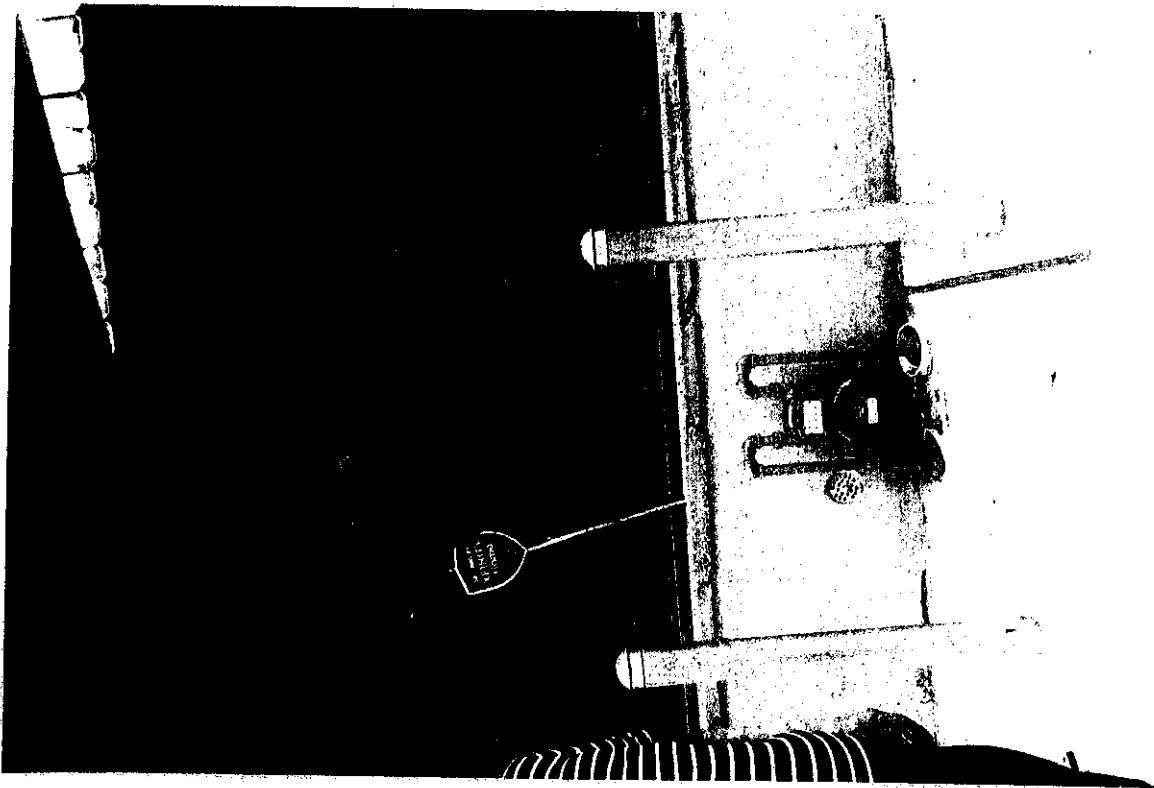
Debra M. Romberger
State Registrar



Exhibit 4



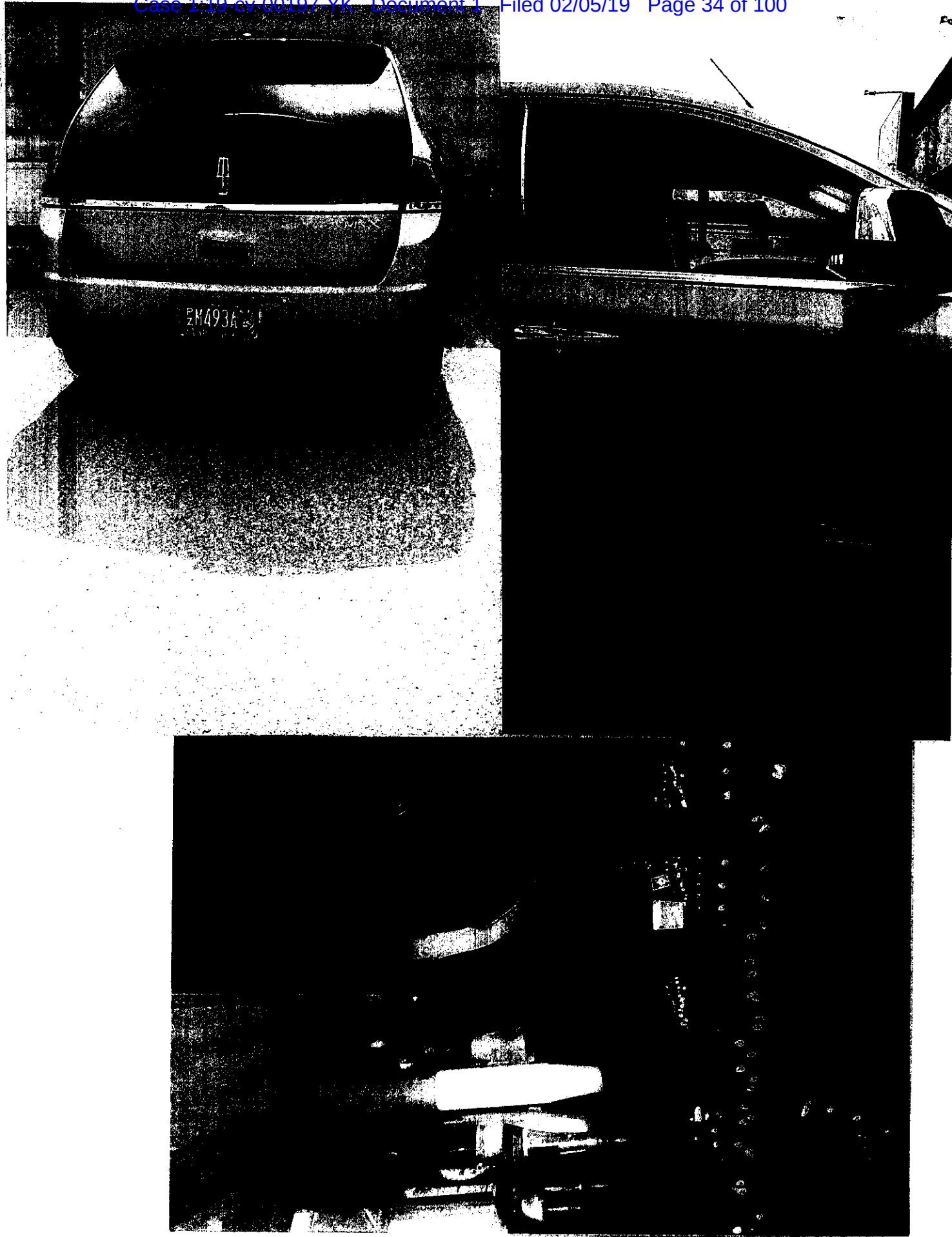


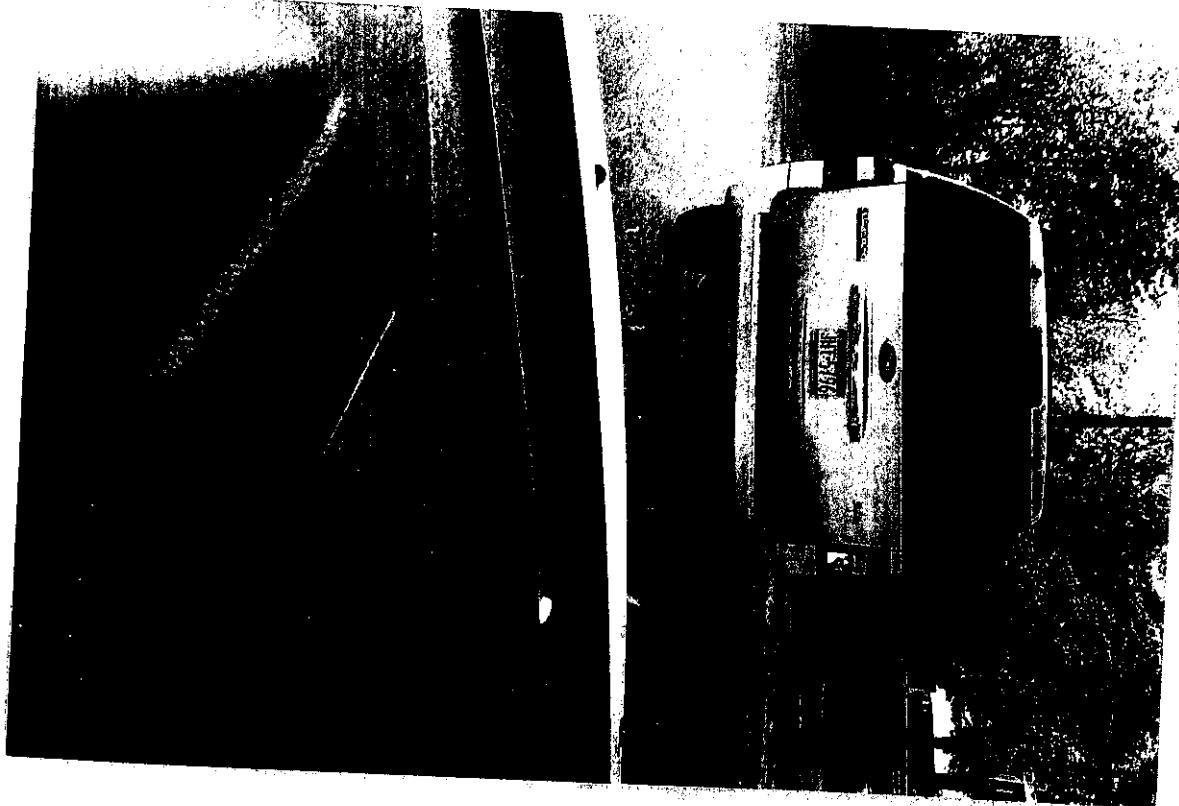


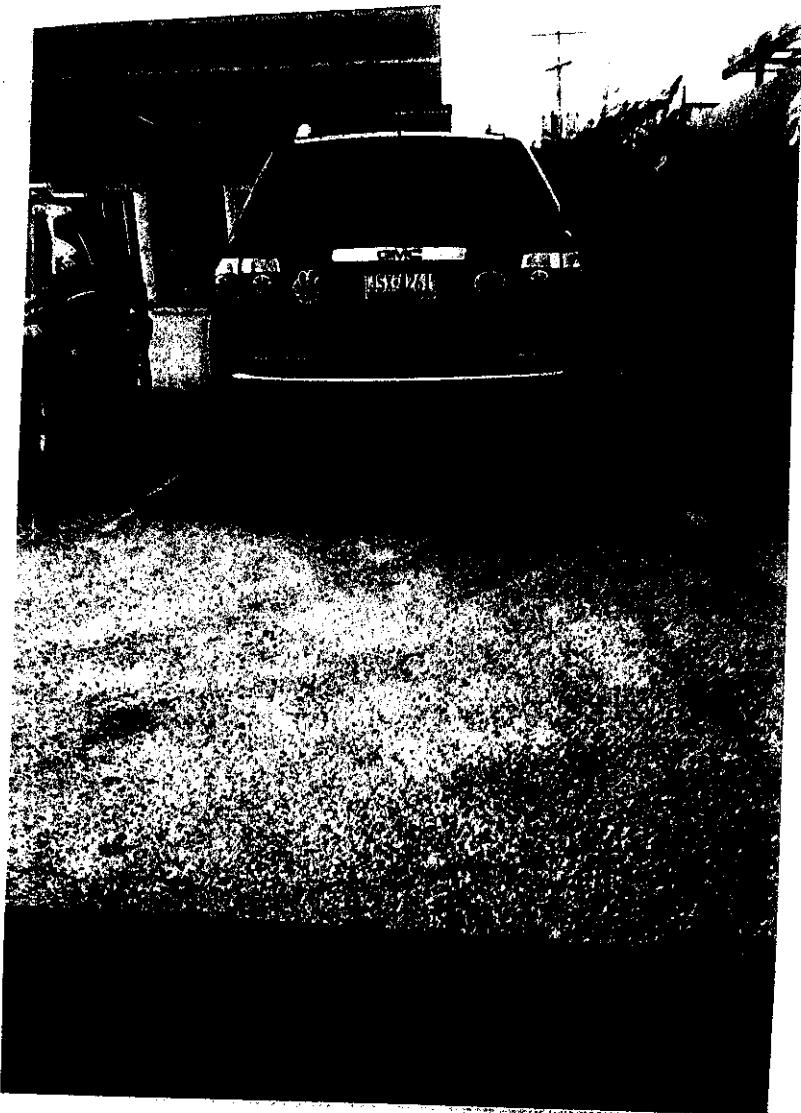






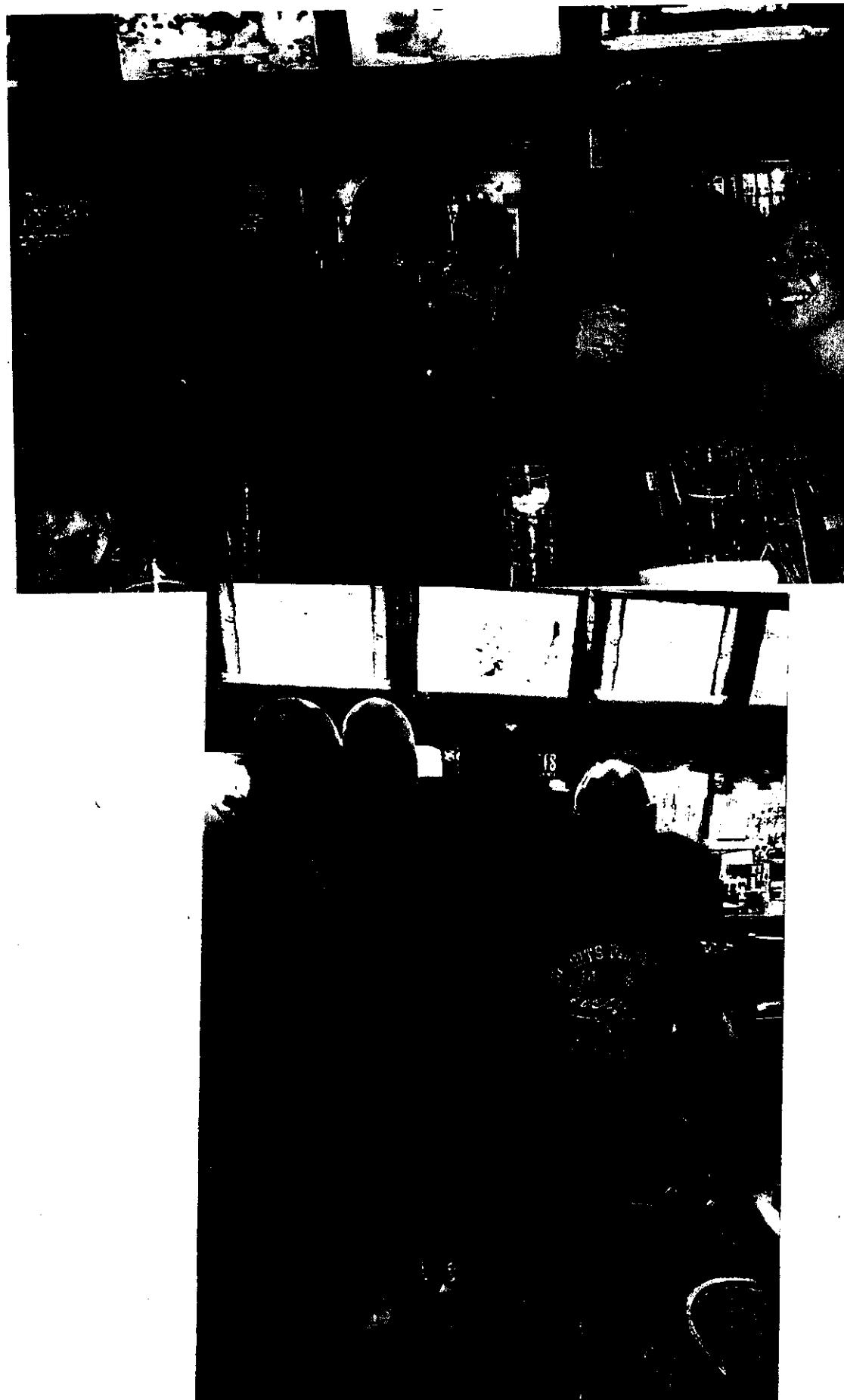












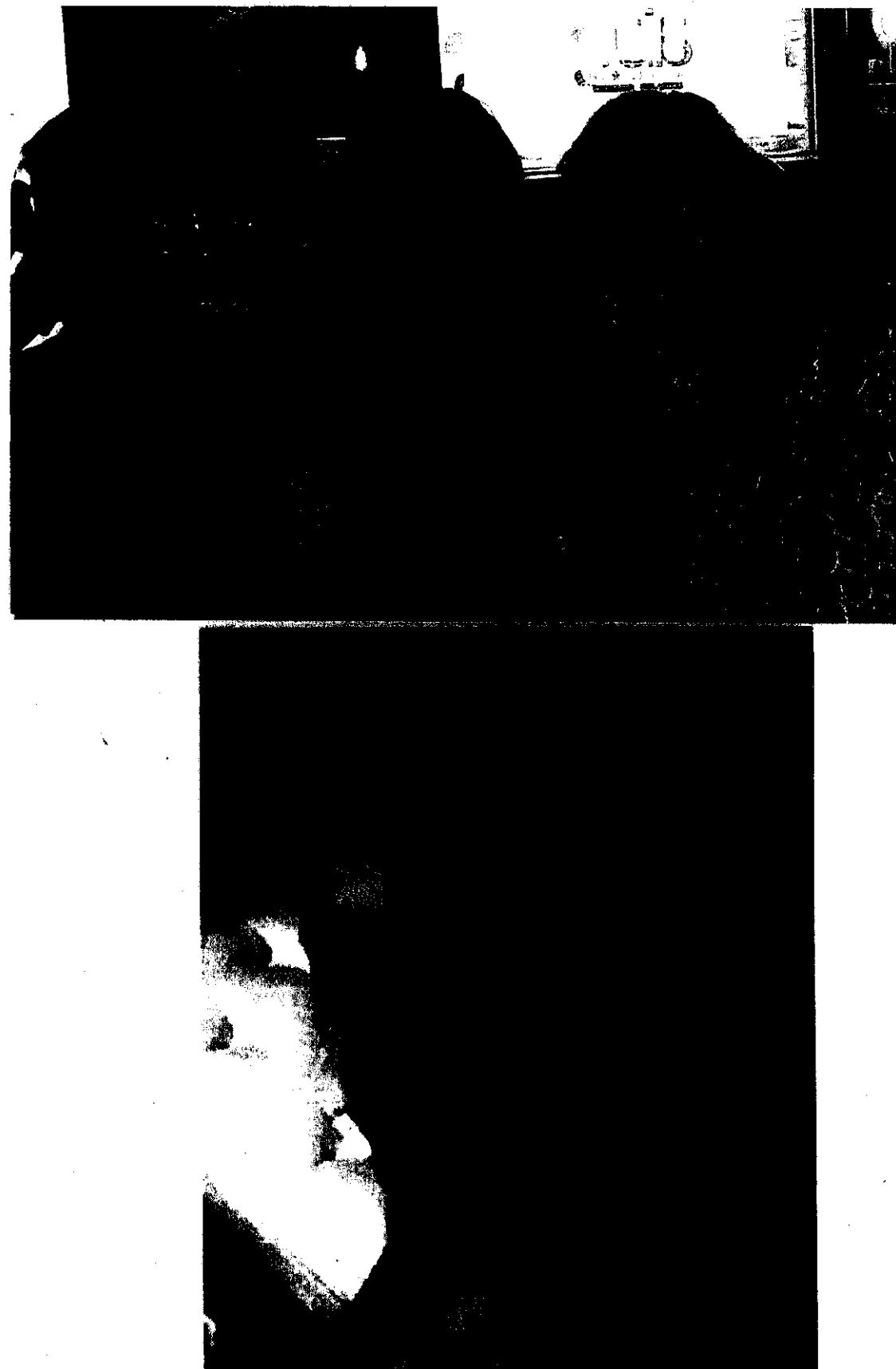




Exhibit 5

CUSTOMER USE ONLY

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PHONE (717) 701-7145

Howard B Wright Jr
 326 Gay Street
 York, Pa 17401

PAYMENT BY ACCOUNT (if applicable)

USPS® Corporate Acct. No.

Federal Agency Acct. No. or Postal Service™ Acct. No.

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- Sunday/Holiday Delivery Required (additional fee, where available*)
- 10:30 AM Delivery Required (additional fee, where available*)

*Refer to USPS.com® or local Post Office® for availability.

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PHONE ()

Attn: Attorney General
 Josh Shapiro 393 W WALNUT ST
 Strawberry Square
 Harrisburg, Pa 17120

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1/17/19	1/19/19	\$ 24.70		
Time Accepted	Scheduled Delivery Time	Insurance Fee	COD Fee	
4:45 PM	10:30 AM 3:00 PM 12 NOON	\$	\$	
Weight	10:30 AM Delivery Fee	Return Receipt Fee	Live Animal Transportation Fee	
9 oz.	\$	\$	\$	
Special Handling/Fragile	Sunday/Holiday Premium Fee	Total Postage & Fees		
	\$	24.70		
Acceptance Employee Initials				
9 AM	9 AM			
DELIVERY (POSTAL SERVICE USE ONLY)				
Delivery Attempt (MM/DD/YY)	Time	Employee Signature		
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Delivery Attempt (MM/DD/YY)	Time	Employee Signature		
	<input type="checkbox"/> AM <input type="checkbox"/> PM			

LABEL 11-B, OCTOBER 2016

PSN 7690-02-000-9998

2-CUSTOMER CO

MR. JOSH SHAPIRO

ATTORNEY GENERAL

COMMONWEALTH OF PENNSYLVANIA

Hello my name is Howard Bruce Wright Jr. I am contacting the office of attorney general now because I have been trying for years to get a problem that occurred in my life here in the of Pennsylvania since 2011 to now . I had a lawsuit on the Pennsylvania State Correction Department in 2015 to 2017 that I feel someone was trying to cover-up. The case number is 15-2949 in Eastern District Of Pennsylvania, I max out of state prison on May 3, 2015 where staff from the state correction continue to attack me physically and mentally with their-self and using Voodoo, Witchcraft. I contact your office to my a complaint but the office of attorney general continue to tell me that we only handle Consumer Protection, I got a situation where in purchase a vehicle from Lancaster Mitsubishi Dealership and someone with a police bade went and got my spare key from the company. I made a complaint to your office but nothing happen the dealership said it was a police officer. I have the response back from your office but then I response just stop, I have been getting attack by driver in my vehicle I get stuff stolen out of my vehicle someone paintball also. I contact the York city office but didn't know that people from the State Department from the situation from Lawsuit 15-2949 had a lot of people attack me. I have here documents here in.....EXHIBIT 1

Now I pick up a D.U.I from a deceased police officer that on site, I have here photo of a drug offenses person on your website and him using witchcraft changing himself on York County website using police office last name and my last name for his entire name. Now I have here deceased Springettsbury Township Police Department officer and now today someone looking like him using and he charge me with the D.U.I case I look up in the website for listing on officer FRED LUCAS JR. Is the deceased officer but FRED LUCAS is listed as being there which they do not look a like I just had to plea to the case of D.U.I. because he walk in York county court house looking the same so I knew this is not good I got a video of him when he stop me if you want me to send it in a later date. The Vaughn Law Firm, LLC Jeremy D. William Esq is who I used video showing the police officer face and him using witchcraft on me when he ask me to step out the vehicle. Now I see some of these people took over job in the Justice Department here in York, Pennsylvania. York, County I have here another one they love to use witchcraft but from the Department Of Correction, Major Christas that is also on Attorney mug shot but for fraud cases that was in prison and now here scarring me and family, friends for years he is now on on York County work release program. So I know that because I just change job to get health insurance because and he working at ES3 where looks like it might be a problem I have to fun another job don't want to stay there. I have this on..... EXHIBIT 2 Sir I sincerely your help in any way I greatly appreciate your time

Howard B. Wright Jr



717-701-7145



SPRINGETTSBURY TOWNSHIP POLICE DEPARTMENT

Chief Daniel E. Stump

1501 Mt Zion Rd
York, PA 17402
Phone: 717.757.3525 Fax: 717.505.0470
www.springettsburypd.com



Dear Mr. Wright,

The Springettsbury Township Police Department received and investigated the complaint that you filed against Officer Lucas. You wrote in the complaint that you discovered the door lining of your 2014 Ford Focus ripped after an officer parked your vehicle. You also wrote that Officer Lucas used witchcraft as part of the field sobriety tests that he conducted.

Our investigation did not find anything to indicate that the damage to your door lining was caused by an officer from Springettsbury Township Police. In addition, the sobriety test that Officer Lucas asked you to perform is a standard test approved and accepted by the Pennsylvania Court System.

The complaint about damage to your vehicle is not sustained. The complaint of Officer Lucas using witchcraft is unfounded.

A handwritten signature in black ink.

Daniel Stump
Chief of Police

DEPARTMENTAL USE ONLYControl Number
[Redacted]Date and Time complaint is received by Department:
6/9/18Name of Person Receiving Complaint:
WrightPerson Notified:
[Redacted]Incident Report Number (Pertaining to complaint):
[Redacted]**CITIZEN COMPLAINT FORM**

Date Incident Occurred 6/9/18	Complainant's Name (last) Wright	(First) Howard	(Middle) B
----------------------------------	-------------------------------------	-------------------	---------------

Street Address
326 Gay STCity
YorkState
PaZip Code
17401Date of Birth
12/26/76Phone Number
717-430-7276Name of Alleged Violator (Officer or other person complained against)
Officer LucasAddress
[Redacted]Phone Number
[Redacted]Name of Witness (if applicable)
[Redacted]Address
[Redacted]Phone Number
[Redacted]**DISPOSITION OF COMPLAINT**

Sustained: The investigation demonstrates that the allegation is true and the action(s) alleged in the complaint happened and were inconsistent with Departmental policy, directives, orders, and/or applicable local, state, or federal law.

Not Sustained: A thorough investigation can neither prove nor disprove allegations.

Exonerated: Incident occurred but was reasonable, lawful and/or proper.

Unfounded: Investigation reveals that the action complained of did not occur, is false or not founded.

Date of Disposition:
[Redacted]Date Complainant was notified of disposition:
[Redacted]Method of Notification:
[Redacted]Name of Officer(s) Involved
Fred Lucas
Title
Officer
Date
06/22
Time
12:01 PM
Car Number
[Redacted] Complaint refusd to fill out complaint form.
In detail, please state what occurred. If the name of the officer is not known, please describe him or her in this narrative.

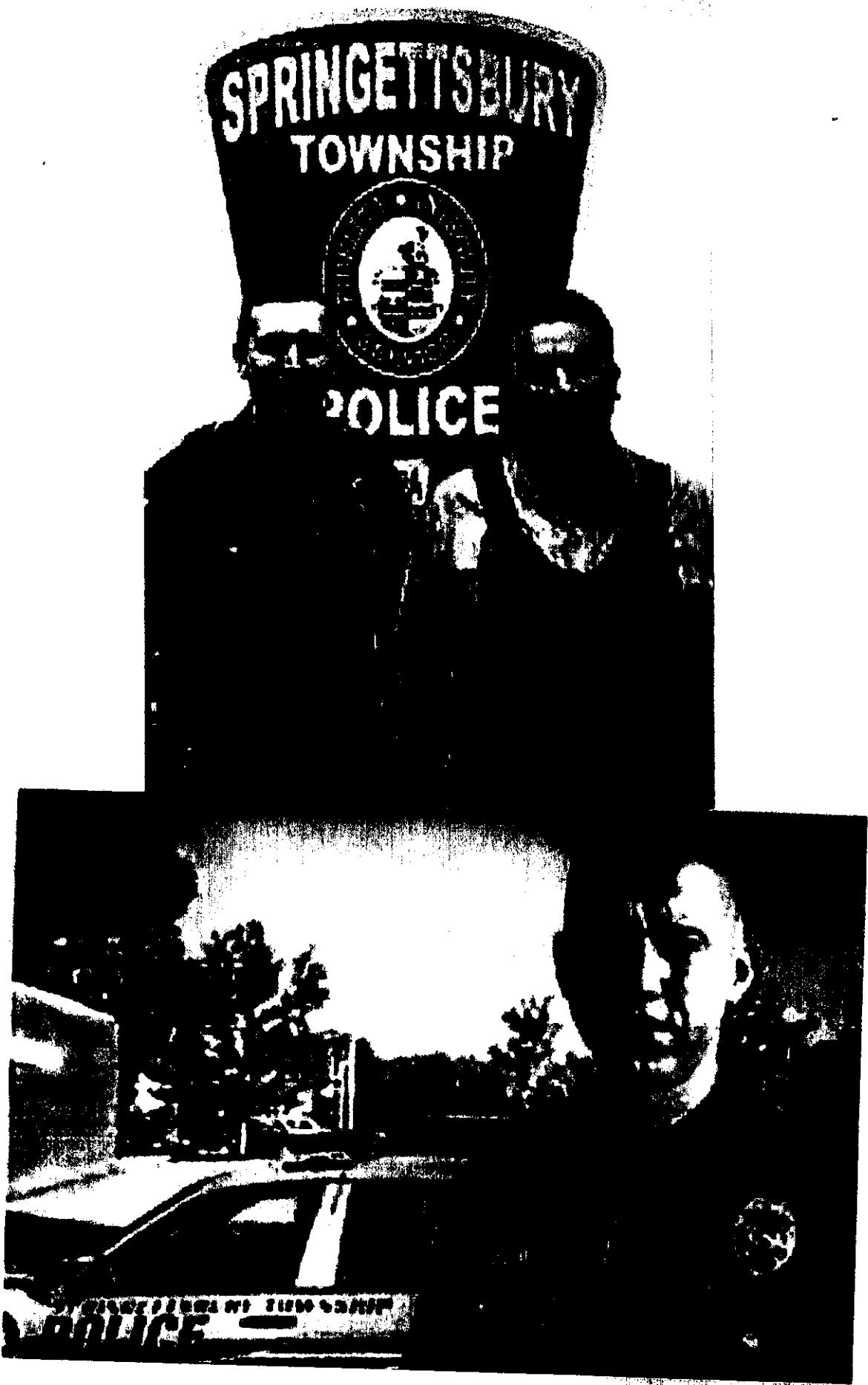
I " Howard B Wright was stop by officer Fred Lucas, for a D.U.I check and officer Lucas arrested me on suspicion of intoxicating and was taking into custody, and my vehicle 2014 Ford Focus was Park by officer to get it off the roadway. But when I come to pick my car up from where I was stop my driver door lining on the inside was rip up I stop by the police station for a complaint form. It would help to this issue. and using different method when he make who doing his sobriety test

If additional space is needed please use additional paper.

E-mail Address:



POLICE





YORK COUNTY SHERIFF'S OFFICE



WANTED



LUCAS WRIGHT

AGE: 21

HEIGHT: 65 INCHES

EYES: BRO HAIR: BLK

**CHARGES: FLEEING AND
ELUDING, CRIMAL
TRESPASS**

PLEASE CALL 717-771-9987 WITH INFORMATION





York County Clerk of Courts Filed 11/27/2018 9:05 AM

Commonwealth of Pennsylvania
v.
Howard Bruce Wright Jr.

IN THE COURT OF COMMON PLEAS OF YORK
COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

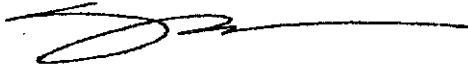
DOCKET NO: CP-67-CR-0005664-2018

ORDER SCHEDULING HEARING

AND NOW, this 27th day of November, 2018, after consideration of the Defendant's Omnibus Pretrial Motion filed by Attorney Jeremy D. Williams, it is ORDERED that a hearing be held on Wednesday, January 2, 2019 at 1:30 p.m. in Courtroom # 6002, 6th Floor, York County Judicial Center, 45 North George Street, York PA 17401.

The Clerk of Courts is hereby directed to provide copies of the order to the Attorney for the Defendant, the Defendant, and the District Attorney.

BY THE COURT:



Judge Craig T. Trebilcock

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF YORK**

Magisterial District Number: 19-2-01

MDJ Hon. **BARRY BLOSS JR.**
Address: **118 PLEASANT ACRES RD.**
YORK, PA 17402

Telephone: (717)840-7233

**DEFENDANT:**

**POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA**

VS.

(NAME and ADDRESS)

HOWARD*First Name***BRUCE***Middle Name***WRIGHT***Last Name**Gen.*326 GAY ST
YORK, PA 17401**NCIC Extradition Code Type**

<input type="checkbox"/> 1 - Felony Full	<input type="checkbox"/> 5 - Felony Pend.	<input type="checkbox"/> C - Misdemeanor Surrounding States	<input type="checkbox"/> Distance: _____
<input type="checkbox"/> 2 - Felony Ltd.	<input type="checkbox"/> 6 - Felony Pend. Extradition Determ.	<input type="checkbox"/> D - Misdemeanor No Extradition	
<input type="checkbox"/> 3 - Felony Surrounding States	<input type="checkbox"/> A - Misdemeanor Full	<input type="checkbox"/> E - Misdemeanor Pending	
<input type="checkbox"/> 4 - Felony No Ext.	<input checked="" type="checkbox"/> B - Misdemeanor Limited	<input type="checkbox"/> F - Misdemeanor Pending Extradition Determ.	

DEFENDANT IDENTIFICATION INFORMATION

Docket Number	Date Filed 06/09/2018	OTN/LiveScan Number	Complaint/Incident Number 20180609M0004	SID	Request Lab Service? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
GENDER <input checked="" type="checkbox"/> Male	DOB 12/20/1976	POB PENNSYLVANIA	Add'l. DOB	Co-Defendants? <input type="checkbox"/>			
<input type="checkbox"/> Female	AKA	First Name	Middle Name	Last Name			
RACE	<input type="checkbox"/> White	<input type="checkbox"/> Asian	<input checked="" type="checkbox"/> Black	<input type="checkbox"/> Native American	<input type="checkbox"/> Unknown		
ETHNICITY	<input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic					<input type="checkbox"/> Unknown	
HAIR COLOR	<input type="checkbox"/> Gry (Gray)	<input type="checkbox"/> Red (Red/Aubn)	<input type="checkbox"/> SDY (Sandy)	<input type="checkbox"/> BLU (Blue)	<input type="checkbox"/> PLE (Purple)	<input type="checkbox"/> BRO (Brown)	
	<input checked="" type="checkbox"/> Blk (Black)	<input type="checkbox"/> Ong (Orange)	<input type="checkbox"/> WHI (White)	<input type="checkbox"/> XXX (Ink./Bald)	<input type="checkbox"/> GRN (Green)	<input type="checkbox"/> PNK (Pink)	
	<input type="checkbox"/> Bln (Blonde / Strawberry)						
EYE COLOR	<input type="checkbox"/> Blk (Black)	<input type="checkbox"/> Blu (Blue)	<input checked="" type="checkbox"/> BRO (Brown)	<input type="checkbox"/> GRN (Green)	<input type="checkbox"/> GRY (Gray)		
	<input type="checkbox"/> HAZ (Hazel)	<input type="checkbox"/> MAR (Maroon)	<input type="checkbox"/> PNK (Pink)	<input type="checkbox"/> MUL (Multicolored)	<input type="checkbox"/> XXX (Unknownr)		
Driver License	State PA	License Number 24093655	Expires 12/21/2019	WEIGHT (lbs.)			
DNA	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO DNA Location					175	
FBI Number			MNU Number	Ft. HEIGHT in.			
Defendant Fingerprinted	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					6	01
Fingerprint Classification							

DEFENDANT VEHICLE INFORMATION

Plate # KDG7093	State PA	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY) 10/18	Comm'l Veh Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. Same as Def. <input type="checkbox"/>
VIN		Year 2014	Make FORD	Model FOCUS, FORD	Style HT	Color WHITE	

Office of the attorney for the Commonwealth Approved Disapproved because: _____

(The Attorney for the Commonwealth may require the complaint, arrest warrant affidavit, or both, be approved by the attorney for the Commonwealth prior to filing. See PA. R. Crim. P §07.)

(Name of the attorney for the Commonwealth - Please Print or Type)

(Signature of the attorney for the Commonwealth)

(Date)

I, OFFICER FRED LUCAS

(Name of the Affiant)

SPRINGETTSBURY TWP POLICE DEPT

(Identify Department or Agency Represented and Political Subdivision)

do hereby state:

0022/300119

PSP/MPOETC - Assigned Affiant ID Number & Badge #

PA0670400

(Police Agency ORI Number)

1. I accuse the above named defendant who lives at the address set forth above
- I accuse the defendant whose name is unknown to me but who is described as

I accuse the defendant whose name and popular designation are unknown to me and whom I have therefore designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at [**227**] **SPRINGETTSBURY**
E MARKET ST AT N HILLS (Subdivision Code) (Place-Political Subdivision)

In **YORK** County [**67**] on or about **9 JUNE 2018 AT 0155 HRS.**
(County Code) (Offense Date)

06/09/2018 03:21 Springettesburg Police Dept

(FAX)717 793 2928

P.004/006

POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 06/09/2018	OTN/LiveScan Number	Complaint/Incident Number 20180609M0004
Defendant Name	First HOWARD	Middle BRUCE	Last WRIGHT

AFFIDAVIT of PROBABLE CAUSE

TARGET 25 - 2nd Offense

On June 9, 2018, at approximately 0155 hours, I was on patrol in the area of Eastern Blvd at Kingston Rd, in a marked police cruiser (A6). While in the area, I observed a white 2014 Ford Focus, bearing PA KDG7093, stopped at the red traffic light, facing west. I observed the Ford was beyond the stop bar and stopped in the middle of the intersection of Eastern Blvd at Kingston Rd. After the traffic light turned green, I continued to follow the Ford. In the 2400 block of Eastern Blvd, I observed the driver side tires cross over the center dashed lines for approximately 25 feet. I observed the Ford turn north (right) on Haines Rd and conduct a wide right turn into the center turn lane of Haines Rd. I continued to follow the Ford as it traveled west on E Market St from Haines Rd. In the area of E Market St at N Oxford St, I observed the driver side tires of the Ford cross over the center dashed lines for approximately 50 feet. I positioned my police cruiser behind the Ford. I activated my emergency lights and sirens and conducted a traffic stop in the area of E Market St at N Hills Rd.

I made contact with the operator, who I positively identified as Howard Bruce Wright Jr. by his PA driver's license. While speaking with Wright Jr., I detected the odor of an intoxicating beverage coming from his expired breath. I asked Wright Jr where he was coming from and he stated, Banana Max, which I know to be a bar in Springettsbury Township. I asked Wright Jr if he had anything to drink tonight and he stated, one beer. I returned to my police cruiser and requested a second unit to my location.

I requested I requested Wright Jr. to perform field sobriety tests. The field sobriety tests were administered on the roadway of E Market St. The roadway was smooth, level and dry. There were no adverse weather conditions.

At the conclusion of the field sobriety tests and based on the totality of the circumstances, it was in my opinion that Wright Jr. was under the influence to a degree that rendered him incapable of safely operating a vehicle. I took Wright Jr. into custody and secured him in my police cruiser.

I transported Wright Jr. to Central Booking for a blood test. I requested the Deputy Sheriff's at Central Booking to search his criminal history for prior driving under the influences. I was advised Wright Jr had a DUI on October of 2008. I read Wright Jr. his Chemical Test Warnings verbatim from the DL-26B (1-18) form. Wright Jr refused the blood test.

I completed a search and seizure warrant for Wright Jr's blood. At approximately 0300 hours, I arrived at Central Booking with the search and seizure warrant. I spoke with MDJ Toluba, who advised he would not sign the search warrant per his protocol.

I, OFFICER FRED LUCAS (0022), BEING DULY SWORN ACCORDING TO THE LAW,
DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

(Signature of Affiant)

Sworn to me and subscribed before me this _____ day of _____,

_____, Magisterial District Judge

My commission expires first Monday of January, _____

SEAL

06/09/2018 03:20 Springettesburg Police Dept

(FAX)717 793 2928

P.002/006



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 06/09/2018	OTN/LiveScan Number	Complaint/Incident Number 20180609M0004
Defendant Name	First HOWARD	Middle BRUCE	Last WRIGHT

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits 204 PA §§ 213.-213.7.)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0			
<input checked="" type="checkbox"/> Lead?	1	3802	A1	of the	75	1	M
Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number		<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description (Include the name of statute or ordinance): DRIVING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED							
Acts of the accused associated with this Offense: DRIVING UNDER THE INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE-GENERAL IMPAIRMENT The Actor, Howard Bruce Wright Jr, on Saturday, June 9, 2018 at approximately 0155 hrs, in the County of York, drove, operated or was in actual physical control of the movement of a vehicle, namely a white 2014 Ford Focus, bearing PA registration KDG7093, upon a highway or trafficway of the Commonwealth, namely , after imbibing a sufficient amount of alcohol such that the individual was rendered incapable of safely driving, operating, or being in actual physical control of the movement of the vehicle, in violation of Section 3802 (a)(1) of the Pennsylvania Vehicle Code, Act 24 of 2003 75 Pa. C.S. 3802(a)(1)							

06/09/2018 03:23 Springettesburg Police Dept

(FAX)717 793 2928

P.003/006

POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 06/09/2018	OTN/LiveScan Number T927218-5	Complaint/Incident Number 20180609M0004
Defendant Name	First HOWARD	Middle BRUCE	Last WRIGHT

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of section 4904 of the Crimes Code (18 PA C.C. 4904) relating to unsworn falsification to authorities.
4. This complaint is comprised of the preceding page(s) numbered 1 through 2.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of Assembly, or in violation of the statutes cited.
(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

June 92018

(Date)

Lewis # 43-21

(Signature of Affiant)

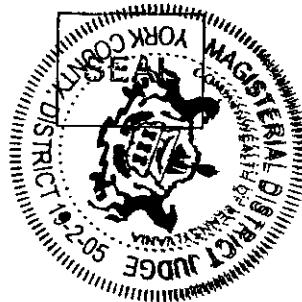
AND NOW, on this date JUNE 9, 2018 I certify that the complaint has been properly completed and verified.
 An affidavit of probable cause must be completed before a warrant can be issued.

19-2-01

(Magisterial District Court Number)

(19-2-05 ON DUTY)James J. Clancy

(Issuing Authority)



COMMONWEALTH OF PENNSYLVANIA

VS

Howard Wright

In the Court of Common Pleas of York County, Pennsylvania

Criminal Division

Docket No CP-67

Charges:

卷之三

SENTENCE ORDER		been found Guilty	
<input type="checkbox"/> Warrant Issued	<input type="checkbox"/> Warrant W/D	<input type="checkbox"/> pled Guilty	
Intermediate Punishment			
AND NOW, this _____ day of <u>11/19</u> , 20 <u>19</u> the defendant having		<input type="checkbox"/> pled Nolo Conten	is sentenced to:
Intermediate Punishment		Count YCP/SCI _____ to _____	
Count		Probation _____ yr _____ mo _____ days	Merges w/ Cnt _____ Is Conct/Consec to Cnt _____
<u>10</u> Months/Years		Mandatory Non-Mandatory Section 17 Y N	
First	Days/Months	YCP	
Followed By:			
<u>5</u> days/months House Arrest / Electronic Monitoring			
day/mo Day Reporting _____ day/mo Int. Suprvsn			
<input checked="" type="checkbox"/> Costs	Fines <u>300</u>	<input type="checkbox"/> Restitution _____	
Other <u>15 days stayam</u>			
<input type="checkbox"/> All remaining counts are nolle prosed		This Sentence shall be effective _____ Continued to _____	
This Sentence shall be concurrent/consecutive to case(s): _____			
Court Ordered Conditions/Recommendations:			
Successfully complete:			
Anger Management	D/A Eval	<input type="checkbox"/> PADL Surrendered	
Batterer's Intervention	MH Eval	<input type="checkbox"/> Court Notification of Prohibiting	
In Patient Treatment	Highway Safety	<input type="checkbox"/> Offense -Title 18- Controlled Substance	
Out Patient Treatment:	Hrs Commty Service	Report to YCP _____ am/pm _____	
Eligible/Not Eligible for:			
Outmate			
Boot Camp			
RRRI RRRI Min _____ RRRI ineligibility waived _____			
House Arrest			
Supervision transferred to: _____			

The York County Prison is directed upon completion of his/her minimum sentence the defendant shall be released without a petition upon approval of a suitable parole plan by York County Probation. If defendant violates parole after serving a state sentence in YCP: he/she shall serve the balance of his sentence in a State Correctional Facility.

Defendant is eligible for any county re-entry programs.

Per stipulation, it is ordered that the defendant receive credit of _____ days time served. Absent stipulation, it is ordered that defendant receive credit as required by law for all time spent in custody as a result of these charges for which sentence is being imposed.

The Court also directs that the defendant shall pay the court costs/fines as assessed by the Clerk of Courts and be subject to such conditions governing probation, including a plan for the payment of costs, fines and restitution as established by the York County Probation Office, or the PA Board of Parole, as applicable.

Court Reporter:

BY THE COURT

Distributed to: District Attorney _____

1

Defense Counsel/Defendant

Judge

YORK COUNTY ADULT PROBATION PAYMENT AGREEMENT

WAGE ATTACHMENT

PAYMENT AGREEMENT

NAME: Howard Wright, Jr.Social Security 177-58-8054Address: 326 Gay StreetYork, PA 17401

You are required to pay the York County Clerk of Courts all restitution, costs, fines, unpaid supervision fees and any other Court ordered fees in the manner directed by the Court until the total amount is paid in full. Any change in income and/or address must be reported to Costs & Fines within 72 hours - defendants' with last names beginning with A-H call 717-771-9707, I-P call 717-771-4343, or Q-Z call 717-771-9749 or by email at CostsandFines@YorkCountyPA.gov.

You can make payments online at <http://ujsportal.pacourts.us/ePay/Default.aspx> (reference your docket number example: CP-67-CR-0001234-2018)

As per administrative order CP-67-AD-0000025-2008 ALL of a defendant's cases owing costs, fines and/or restitution must be placed on one (1) payment plan. All payments received are applied automatically across all cases based on the priority of the assessments owed as determined by Title 42 Standard Distribution of Funds.

Payment Amount:

\$ 65.00 /month / 1st payment DUE 02/02/19

and each month thereafter until paid in full.

Please make check or money order payable to:

**York County Clerk of
Courts 45 N. George Street
York, PA 17401**

Payments must be received as ordered and each month thereafter

Defendants Signature

01/02/19

Date

Amy Wundor

01/02/19

Probation Officer

Date

Case Number(s): CR 5664-2018

1. CR 5664-2018

2. _____

3. _____

Supervision Fees: \$55.00 x 6 months spent on supervision.

Total Amount Assessed \$ 330.00

Interstate Transfer Fee \$ _____

Transfer Out Case

Employer Information

Employer _____

Address _____

Employee Information

DOB _____

SSN _____

Employee # _____

Wage Attachment

To be completed by Clerk of Courts for wage attachments

Assigned Region:

Total Due: \$

BAIL BOND

Commonwealth of Pennsylvania

v.

Howard Bruce Wright Jr.

OTN: T 927218-5	Docket No: MJ-19201-CR-0000440-2018	Date of Charges: 06/09/2018
LOTN: T 927218-5	Court No: MDJ-19-2-01	
Def Name/Address: Howard Bruce Wright Jr. 326 Gay St York, PA 17401	Next Court Action: Preliminary Hearing 07/03/2018 3:00 pm	Magisterial District Court 19-2-01, York 118 Pleasant Acres Road York, PA 17402 717-840-7233

LEAD OFFENSE

75 § 3802 §§ A1* DUI: Gen Imp/Inc of Driving Safely - 1st Off

ADDITIONAL CHARGES MAY EXIST, PLEASE SEE ADDITIONAL CHARGES PAGE**TYPE(S) OF RELEASE:**

ROR Unsecured Bail Nonmonetary Condition(s) (see additional page(s))
 Nominal Bail Monetary Condition(s) in the amount of \$5,000.00

THE CONDITIONS OF THIS BAIL BOND ARE AS FOLLOWS:

1. The defendant must appear at all times required until full and final disposition of the case(s).
2. The defendant must obey all further orders of the bail authority.
3. The defendant must provide a current address and must give written notice to the bail authority, the clerk of courts, the district attorney, and the court bail agency or other designated court bail officer, of any change of address within 48 hours of the date of the change.
4. The defendant must neither do, nor cause to be done, nor permit to be done on his or her behalf, any act as proscribed by Section 4952 of the Crimes Code (relating to intimidation of witnesses or victims) or by Section 4953 (relating to retaliation against witnesses or victims), 18 Pa.C.S. § 4952, 4953.
5. The defendant must refrain from criminal activity.
6. The defendant must comply with any fingerprint order, if any is issued by this court.

I verify that the above conditions of bail have been imposed.

June 09, 2018

Date

Magisterial District Judge Clancy

**TYPES OF SECURITY:**

Cash/Equivalent Govt Bearer Bond Realty within Commonwealth
 10 % Cash Surety Bond Realty outside Commonwealth

TOTAL AMOUNT BAIL SET (IF ANY): \$5,000.00 (see sureties page)**BAIL DEPOSITOR(S)**

Depositor Name

Brennan Margrett

Amount 5000.00

This bond is valid for the entire proceedings and until full and final disposition of the case including all avenues of direct appeal to the Supreme Court of Pennsylvania.

I AGREE THAT I WILL APPEAR AT ALL SUBSEQUENT PROCEEDINGS AS REQUIRED AND COMPLY WITH ALL THE CONDITIONS OF THE BAIL BOND.

THIS BOND SIGNED ON Sat JUNE 09, 2018at YCSO - Central Booking, York, Pennsylvania

X Howard B. Wright Jr.
Signature of Defendant

Bret A. Wallace #241

Signature of Witness

B. M. *(Signature)*
(Surety)

Defendant's Address:

PLEASE SEE ATTACHED PAGES FOR ADDITIONAL INFORMATION.

BAIL RELEASE CONDITIONS

Commonwealth of Pennsylvania

v.

Howard Bruce Wright Jr.

OTN: T 927218-5	Docket No: MJ-19201-CR-0000440-2018	Date of Charges: 06/09/2018
LOTN: T 927218-5	Court No: MDJ-19-2-01	
Def Name/Address: Howard Bruce Wright Jr. 326 Gay St York, PA 17401	Next Court Action: Preliminary Hearing 07/03/2018 3:00 pm	Magisterial District Court 19-2-01, York 118 Pleasant Acres Road York, PA 17402 717-840-7233

Release Conditions

Pre-Trial Services - You will report to the York County Adult Probation & Parole Department located at the Judicial Center, 45 North George Street, York, PA 17401 within two business days of your supervised bail placement for intake purposes and to arrange for Alcohol Monitoring.

Drug and Alcohol Assessment - You will cooperate with referrals for a CRN and drug and alcohol evaluation. You will complete any recommended treatment by the evaluator. You will pay the costs of said evaluations and treatment programming.

Drugs and Alcohol Use - You will abstain from the use of alcohol and any illegal substances.

Electronic Monitoring - You will cooperate with the Program Agreement as administered by the York County Pre-trial Services Unit and the following stipulations of Alcohol monitoring:

1. You will pay the costs of Alcohol monitoring to be paid in 30-day increments in advance. Fees may be assessed for installation and/or advance payment made payable to the York County Adult Probation & Parole Department. Thereafter, each month of monitoring will be charged accordingly.

2. Adult Probation & Parole Department. Thereafter, each month of monitoring will be charged accordingly.

3. You will remain on drug and alcohol monitoring until final disposition of the case or until the Court modifies the existing bail order.

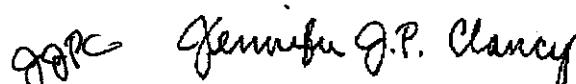
Curfew - You will follow a 10:00 PM - 6:00 AM curfew unless otherwise approved by the York County Adult Probation & Parole Department.

I verify that the above conditions have been imposed.


(Signature of Defendant)

June 09, 2018

Date


Magisterial District Judge Clancy

Magisterial District Judge Clancy



Exhibit 6



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

BUREAU OF CONSUMER PROTECTION
Harrisburg Office
15th Floor, Strawberry Square
Harrisburg, Pennsylvania 17120
(717) 787-9707
December 13, 2017

Howard B. Wright, Jr.
326 Gay Ave.
York, PA 17401

Re: Lancaster Mitsubishi
BCP-17-05-021006

Dear Mr. Wright:

Your complaint has been received by the Bureau of Consumer Protection. Please refer to your File Number BCP-17-05-021006 when corresponding with this office to help us keep accurate and up-to-date records.

A copy of your complaint as presented to the Bureau has been sent to the business with a request for the business to provide a written response to the Bureau within 21 days. We will keep you apprised of significant developments as your case progresses. You will be notified by mail when we receive information regarding your case.

Please note that participation in the mediation process is voluntary and we cannot compel a business to cooperate. If mediation efforts are not successful, you may be advised to seek relief either through a private attorney or through Magisterial District Court. The Bureau cannot provide you with private legal counsel or offer legal advice.

If your complaint has been settled or you have new information that would have a bearing on your complaint, please inform us. We encourage you to submit such information in writing.

On behalf of the Office of Attorney General, thank you for bringing this matter to our attention. We hope to be of assistance in resolving your complaint.

Very truly yours,

Brett W. Mauser
Brett W. Mauser
Agent



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

BUREAU OF CONSUMER PROTECTION
Harrisburg Office
15th Floor, Strawberry Square
Harrisburg, Pennsylvania 17120
(717) 787-9707
December 27, 2017

Howard B. Wright, Jr.
326 Gay Ave.
York, PA 17401

Re: Lancaster Mitsubishi
BCP-17-05-021006

Dear Mr. Wright:

We have been informed that your complaint has been resolved and wish to verify this. If this information is not correct, please advise us in writing at your earliest convenience.

On behalf of the Office of Attorney General, thank you for giving us this opportunity to be of service to you. If we may be of assistance in the future, please do not hesitate to contact the Bureau of Consumer Protection.

Very truly yours,

A handwritten signature in black ink that reads "Brett W. Mauser".
Brett W. Mauser
Agent

vmr
25

Commonwealth of Pennsylvania
Office of Attorney General
Bureau of Consumer Protection

January 5th 2018

Re: Case BCP-17-05-021006

Dear Office of Attorney General,

I received a copy of the letter sent to you from Lancaster Mitsubishi regarding my complaint, Case number BCP-17-05-021006. I received copies of a picture and two forms explaining what I was given the day I purchased the car. I do not remember signing the form stating that I received 2 keys, the signature does not look like my signature. I only received one key at the time of purchase due to being told I could only be given one key at time of purchase and I would have to come back and pick up a second key at a later time. Also my original copy of the WE OWE form does not match the one sent to your office. I also took notice that the head sales manager at Lancaster Mitsubishi looked familiar, I believe he worked at the SCI Chester Prison in PA where I had served a sentence back in 2010. I had some legal issues there with the Staff of the prison and wrongful doing to inmates. Governor Tom Wolf handled the case from SCI Chester Prison just this past year 2017. Any help or advice would be greatly appreciated.

Sincerely,

Howard B. Wright

L A N C A S T E R M I L E A G E
1009 NORTH PRINCE STREET, P.O. BOX 4767
L A N C A S T E R, P E N N S Y L V A N I A 1 7 6 0 4

(717) 295-5000

DEAL NO.

DATE

BUYER(S)

STREET

CITY

STATE

ZIP

PHONE

PLEASE ENTER MY ORDER FOR THE FOLLOWING:

YEAR MAKE MODEL

YEAR MAKE MODEL

COLOR VIN

STOCK # SALES CONSULTANT EST DELIVERY DATE

SELLING PRICE

EXTENDED WARRANTY

TERM

LESS RATE

TOTAL PRICE CAR & ACCESSORIES

LESS TRADE IN

DIFFERENCE

TAX & TAX

SALES TAX

REGISTRATION & TITLE TRANSFER ENCLOSURE

DOCUMENTARY FEE

MESSAGERIE FEE

NOTARY FEE

PLATE FEE

ON-LINE REGISTRATION FEE

ON-LINE REVERIFICATION FEE

TOTAL SALESPRICE

DEPOSIT WITH ORDER

Owed on Trade In

TRADE-IN INFORMATION

YEAR MAKE COLOR BODY

LICENSE NO. EXPIRATION DATE

SERIAL NO. VIN

MILEAGE TRADE-IN MILEAGE PURCHASED

TERMS & CONDITIONS

EXPRESS WARRANTY: The manufacturer's new vehicle limited warranty delivered to the buyer with the sale of this vehicle is the only warranty applicable to this sale. The buyer may request and obtain additional copies of the manufacturer's limited warranty from the manufacturer or the Dealer. Any dispute arising under the terms of that warranty shall be determined solely between the buyer and the manufacturer. The Dealer shall not be liable for any damages under that warranty. The Dealer makes no express or implied warranty. The buyer agrees the Dealer makes no implied warranty of merchantability and fitness for a particular purpose.

BUYER'S SIGNATURE

PAY-OFF AMT.

TALKED TO

PAY-OFF GOOD TILL

OWED TO

VERIFIED BY

Name of Insurance Co.

Name of Agent

Phone

Address

Policy #

Collision Deductible

Compl. Deductible

Agent's Name

Expiration Date

BY SIGNING CONTRACT THIS CONTRACT IS NOT VALID UNTIL RECEIVED BY THE DEALER AND SIGNED BY AN AUTHORIZED DEALER REPRESENTATIVE. YOU, THE BUYER MAY CANCEL THIS CONTRACT AND RECEIVE A FULL REFUND ANY TIME BEFORE RECEIPT OF A COPY OF THIS CONTRACT SIGNED BY AN AUTHORIZED DEALER REPRESENTATIVE BY GIVING WRITTEN NOTICE OF CANCELLATION TO THE DEALER.

The buyer agrees this contract includes all of the terms and conditions on both the front and the back. This contract is the entire agreement, and supersedes any prior agreements relating to the indicated vehicle(s). The buyer certifies that he/she is 18 years of age or older and of full legal capacity to enter into this contract. The buyer acknowledges receipt of a copy and of the manufacturer's warranty.

BUYER'S SIGNATURE

(717)439-7276

No.F245611

A. VEHICLE PURCHASED				PA TITLE NUMBER (AS SHOWN ON ATTACHED TITLE)	MAKE OF VEHICLE	MODEL YEAR	F. TAX FEES			
				1FADP3F25EL227221	FORD	2014	PURCHASE PRICE (See Note on Reverse.)	12950.00		
					CONDITION	<input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR	LESS TRADE-IN	0.00		
B. SELLER				LAST NAME (OR FULL BUSINESS NAME) LANCASTER MITSUBISHI	FIRST NAME	MIDDLE NAME	TAXABLE AMOUNT	12950.00		
				CO-SELLER			1. SALES TAX DUE X 6% (.06) X 7% (.07) OR X 8% (.08) ★ (See Note on Reverse.)	777.00		
C. 1ST PURCHASER				LAST NAME (OR FULL BUSINESS NAME) WRIGHT, HOWARD B	FIRST NAME	MIDDLE NAME	PA DL/PHOTO ID# OR BUS. ID#	DATE OF BIRTH		
				CO-PURCHASER LAST NAME	FIRST NAME	MIDDLE NAME	PA DL/PHOTO ID#	DATE OF BIRTH		
				STREET	326 GAY ST		COUNTY CODE			
				CITY	STATE	ZIP CODE	DATE ACQUIRED/ PURCHASED	67		
				YORK	PA	17401	11/02/2016	REFER TO COUNTY CODES LISTING ON REVERSE SIDE OF YELLOW COPY		
D. 2ND PURCHASER				LAST NAME (OR FULL BUSINESS NAME)	FIRST NAME	MIDDLE NAME	PA DL/PHOTO ID# OR BUS. ID#	DATE OF BIRTH		
				CO-PURCHASER LAST NAME	FIRST NAME	MIDDLE NAME	PA DL/PHOTO ID#	DATE OF BIRTH		
				STREET			COUNTY CODE			
				CITY	STATE	ZIP CODE	DATE ACQUIRED/ PURCHASED			
								REFER TO COUNTY CODES LISTING ON REVERSE SIDE OF YELLOW COPY		
E. VEHICLE TRADED				MAKE OF VEHICLE	VEHICLE IDENTIFICATION NUMBER					
				MODEL YEAR	BODY TYPE (CP, TK, ETC.)	CONDITION	<input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR			
F. APPLICATION FOR REGISTRATION				<input type="checkbox"/> PLATE TO BE ISSUED BY DEPARTMENT (PROOF OF INSURANCE MUST BE ATTACHED.) <input type="checkbox"/> EXCHANGE PLATE TO BE ISSUED BY DEPARTMENT <input checked="" type="checkbox"/> TEMPORARY PLATE ISSUED BY FULL AGENT (Note: This plate will expire 90 days from date of issuance.) <input type="checkbox"/> TRANSFER OF PREVIOUSLY ISSUED PLATE <input type="checkbox"/> TRANSFER & RENEWAL OF PLATE <input type="checkbox"/> TRANSFER & REPLACEMENT OF PLATE <input type="checkbox"/> TRANSFER OF PLATE & REPLACEMENT OF STICKER			REASON FOR REPLACEMENT EXPIRES Month Year		<input type="checkbox"/> LOST <input type="checkbox"/> DEFACED <input type="checkbox"/> STOLEN <input type="checkbox"/> NEVER RECEIVED (Lost in Mail)	
				TRANSFERRED FROM TITLE NO.			VIN	NOTE: If "NEVER RECEIVED" block is checked, applicant must complete Form MV-44.		
				SIGNATURE OF PERSON FROM WHOM PLATE IS BEING TRANSFERRED (IF OTHER THAN APPLICANT)			SIGN HERE	RELATIONSHIP TO APPLICANT		
G. CERTIFICATION				VEHICLE PURCHASED WEIGHT INFORMATION (IF APPLICABLE)			GVWR	UNLADEN WEIGHT	REG. REG. GROSS WT. INCLUDING LOAD	REG. REG. GROSS COMB. WT. (IF APPLICABLE)
				INSURANCE COMPANY NAME			BRISTOL WEST	POLICY NO. (OR ATTACH BINDER) G00799424000	POLICY EFFECTIVE DATE 11/02/16	POLICY EXPIRATION DATE 05/02/17
				ISSUING AGENT INFORMATION			I CERTIFY THAT ON MONTH NOV DAY 12 YEAR 2014 ISSUING AGENT (PRINT NAME) I HAVE CHECKED TO DETERMINE THAT THE VEHICLE IS INSURED AND ISSUED TEMPORARY REGISTRATION TO THE ABOVE APPLICANT, IN COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE VEHICLE CODES AND DEPARTMENT REGULATIONS.	LANCASTER MITSUBISHI ISSUING AGENT SIGNATURE	AGENT NO. 85-10253 TELEPHONE NO. (717) 2955000	
				I WE CERTIFY THAT I WE HAVE EXAMINED AND SIGNED THIS APPLICATION AFTER ITS COMPLETION. I WE FURTHER CERTIFY THAT ALL STATEMENTS HEREIN ARE TRUE AND CORRECT AND MAKE APPLICATION FOR CERTIFICATE OF TITLE FOR THE VEHICLE DESCRIBED IN SECTION A. IF ANY EXEMPTION IS CLAIMED, THE PURCHASER FURTHER CERTIFIES THAT HE/SHE IS AUTHORIZED TO CLAIM THIS EXEMPTION. I WE ACKNOWLEDGE THAT I WE MAY LOSE MY/OUR OPERATING PRIVILEGE(S) OR VEHICLE REGISTRATION FOR FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY ON THE CURRENTLY REGISTERED VEHICLE FOR THE PERIOD OF REGISTRATION. I WE ACKNOWLEDGE THAT I WE MAY BE SUBJECT TO A FINE NOT EXCEEDING \$5,000 AND IMPRISONMENT OF NOT MORE THAN TWO YEARS FOR ANY FALSE STATEMENT THAT I WE MAKE ON THIS APPLICATION.			Signature of First Purchaser or Authorized Signer <i>Howard B. Wright</i>		Telephone No.	
									(717) 430-7276	
				Signature of Co-Purchaser/Title of Authorized Signer						
				Signature of Second Purchaser or Authorized Signer				Telephone No.		
				Signature of Co-Purchaser/Title of Authorized Signer						

1.
ENTOMOLOGY

NOTE: IF A CO-PURCHASER OTHER THAN YOUR SPOUSE IS LISTED AND YOU WANT THE TITLE TO BE LISTED AS "JOINT TENANTS WITH RIGHT OF SURVIVORSHIP" (ON DEATH OF ONE OWNER, TITLE GOES TO SURVIVING OWNER) CHECK HERE . OTHERWISE, THE TITLE WILL BE ISSUED AS "TENANTS IN COMMON" (ON DEATH OF ONE OWNER, INTEREST OF DECEASED OWNER GOES TO HIS/HER HEIRS OR ESTATE).

SIMPLE FINANCE CHARGE

Dealer Number

Contract Number

Buyer Name and Address
(Including County and Zip Code)Co-Buyer Name and Address
(Including County and Zip Code)

Seller-Creditor (Name and Address)

Lancaster Motor Sales

1009 N. PRINCE STREET

Lancaster, PA

17603

You, the Buyer (and Co-Buyer, if any), may buy the vehicle below for cash or on credit. By signing this contract, you choose to buy the vehicle in credit under the agreements on the front and back of this contract. You agree to pay the Seller - Creditor (sometimes "we" or "us" in this contract) the Amount Financed and Finance Charge in U.S. funds according to the payment schedule below. We will figure your finance charge on a daily basis. The Truth-In-Lending Disclosures below are part of this contract.

New/Used	Year	Make and Model	Gross Vehicular Weight	Vehicle Identification Number	Primary Use For Which Purchased
Used	2014	FORD FOCUS		1FADP3F25EL227221	Personal, family, or household unless otherwise indicated below:

FEDERAL TRUTH-IN-LENDING DISCLOSURES

ANNUAL PERCENTAGE RATE The cost of your credit as a yearly rate.	FINANCE CHARGE The dollar amount the credit will cost you.	Amount Financed The amount of credit provided to you or on your behalf.	Total of Payments The amount you will have paid after you have made all payments as scheduled.	Total Sale Price The total cost of your purchase on credit, including your down payment of \$	Insurance. You may buy the physical damage insurance this contract requires (see back) from anyone you choose who is acceptable to us. You are not required to buy any other insurance to obtain credit.
13.83 %	\$ 8387.85	\$ 12816.15	\$ 21204.00	\$ 23204.89	If any insurance is checked below, policies or certificates from the named insurance companies will describe the terms and conditions.

Your Payment Schedule Will Be:

Number of Payments	Amount of Payments	When Payments Are Due
72	\$ 316.50	Monthly beginning 12/17/2016
	N/A	

Or As Follows:

Late Charge. If payment is not paid in full within 10 days after it is due, you will pay a late charge. If the vehicle is a heavy commercial motor vehicle, the charge will be 4% of the part of the payment that is late. Otherwise, the charge will be 2% of the part of the payment that is late.

Prepayment. If you pay off all your debt early, you will not have to pay a penalty.

Security Interest. You are giving a security interest in the vehicle being purchased.

Additional Information: See this contract for more information including information about nonpayment, default, any required repayment in full before the scheduled date and security interest.

TERMINATION OF AMOUNT FINANCED (Seller may keep part of the amounts paid to others.)

Cash Price

Vehicle

\$ 12950.00

Accessories and Installation

\$ N/A

Government Taxes

\$ 177.30

Vehicle Delivery

\$ N/A

for N/A

\$ N/A

Total Downpayment =

\$ 13727.00 (1)

Trade-In

(Year)

(Make)

(Model)

Other Optional Insurance

 Type of Insurance N/A Term N/APremium \$ N/ADescription of Coverage N/AInsurance Company Name N/A

(Describe)	Term	N/A
(Describe)	Term	N/A
C Official Fees Paid to Government Agencies		
to N/A	for N/A	\$ N/A
to N/A	for N/A	\$ N/A
to N/A	for N/A	\$ N/A
D Optional Gap Contract		
E Government Taxes Not Included in Cash Price		
F Government License and/or Registration Fees		
ITEMIZATION FEE		
G Government Certificate of Title Fees		
(Includes \$ 24.00 security interest recording fee)		
H Other Charges (Seller must identify who is paid and describe purpose)		
to N/A	for Prior Credit or Lease Balance	\$ N/A
to AMERICAN RENTAL	for DOCUMENTATION FEE	\$ 135.00
to N/A	for N/A	\$ N/A
to AMERICAN RENTAL	for PLATE FEE	\$ 15.15
to N/A	for N/A	\$ N/A
to AMERICAN RENTAL	for PLATE FEE	\$ 28.00
to N/A	for N/A	\$ N/A
to N/A	for N/A	\$ N/A
to N/A	for N/A	\$ N/A
Total Other Charges and Amounts Paid to Others on Your Behalf		
5 Amount Financed (3 + 4)		\$ 1000.15 (4)
6 Finance Charge		\$ 126.15 (5)
7 Total of Payments-TIME Balance (5 + 6)		\$ 1126.30 (6)
		\$ 1126.30 (7)

\$ N/A
\$ N/A
\$ N/A
\$ N/A
\$ 36.00
\$ 75.00
\$ N/A
\$ 135.00
\$ N/A
\$ 15.15
\$ N/A
\$ 28.00
\$ N/A
\$ N/A
\$ N/A
\$ N/A
\$ 1000.15 (4)
\$ 126.15 (5)
\$ 1126.30 (6)
\$ 1126.30 (7)

Will you sign and agree to pay the extra cost.
I want the insurance checked above.

X N/A N/A
Buyer Signature Date

X N/A N/A
Co-Buyer Signature Date

THIS INSURANCE DOES NOT INCLUDE INSURANCE ON YOUR LIABILITY FOR BODILY INJURY OR PROPERTY DAMAGE CAUSED TO OTHERS.

Returned Check Charge: You agree to pay the costs we actually pay to others if any check you give us is dishonored.

OPTIONAL GAP CONTRACT. A gap contract (debt cancellation contract) is not required to obtain credit and will not be provided unless you sign below and agree to pay the extra charge. If you choose to buy a gap contract, the charge is shown in item 4D of the Itemization of Amount Financed. See your gap contract for details on the terms and conditions it provides. It is a part of this contract.

Term 72 Mos. ALLY
Name of Gap Contract

I want to buy a gap contract.

Buyer Signs X *Paul S Wright*

If you do not meet your contract obligations, you may lose the vehicle.

OPTION: You pay no finance charge if the Amount Financed - item 5, is paid in full on or before **N/A**, Year **X** SELLER'S INITIALS

NO COOLING OFF PERIOD
State law does not provide for a "cooling off" or cancellation period for this sale. After you sign this contract, you may only cancel it if the seller agrees or for legal cause. You cannot cancel this contract simply because you change your mind. This notice does not apply to home solicitation sales.

HOW THIS CONTRACT CAN BE CHANGED. This contract contains the entire agreement between you and us relative to this contract. Any change to this contract must be in writing and we must sign it. No oral changes are binding. Buyer Signs X Co-Buyer Signs X
Any part of this contract is not valid, all other parts stay valid. We may delay or refrain from enforcing any of our rights under this contract without losing them. For example, we may extend the time for making some payments without extending the time for making others.
You authorize us to obtain information about you, or the vehicle you are buying, from the state motor vehicle department or other motor vehicle registration authorities.
See back for other important agreements.

The Annual Percentage Rate may be negotiable with the Seller. The Seller may assign this contract and retain its right to receive a part of the Finance Charge.

NOTICE TO BUYER: DO NOT SIGN THIS CONTRACT IN BLANK. YOU ARE ENTITLED TO AN EXACT COPY OF THE CONTRACT YOU SIGN. KEEP IT TO PROTECT YOUR LEGAL RIGHTS. ANY HOLDER OF THIS CONSUMER CREDIT CONTRACT IS SUBJECT TO ALL CLAIMS AND DEFENSES WHICH THE BUYER COULD ASSERT AGAINST THE SELLER IF GOODS OR SERVICES OBTAINED PURSUANT HERETO OR WITH THE PROCEEDS HEREOF. RECOVERY HEREUNDER BY THE BUYER SHALL NOT EXCEED AMOUNTS PAID BY THE BUYER HEREUNDER.

Buyer Signs X *Paul S Wright* Date 11/02/16 Co-Buyer Signs X Date

You agree to the terms of this contract. You confirm that before you signed this contract, we gave it to you, and you were free to take it and review it. You confirm that you received a completely filled-in copy when you signed it.

Buyer Signs X *Paul S Wright* Date 11/02/16 Co-Buyer Signs X Date

Co-Buyers and Other Owners — A co-buyer is a person who is responsible for paying the entire debt. An other owner is a person whose name is on the title to the vehicle but does not have to pay the debt. The other owner agrees to the security interest in the vehicle given to us in this contract.

This CARFAX Vehicle History Report provided free of charge by:



Lancaster Mitsubishi
1009 N Prince St
Lancaster, PA 17603
1-888-558-0660

SHOW ME THE CARFAX

CARFAX Vehicle History Report

Vehicle Information:
2014 FORD FOCUS SE
 VIN: 1FADP3F25EL227221
SEDAN 4 DR
2.0L I4 FI DOHC 16V
GASOLINE
FRONT WHEEL DRIVE

CARFAX Report Provided By:
 Lancaster Mitsubishi
 1009 N Prince St
 Lancaster, PA 17603
 1-888-558-0660
www.lancastermitsubishi.net

	No accident / damage reported to CARFAX
	CARFAX 1-Owner vehicle
	At least 1 open recall
	4 Service history records
	Personal vehicle
	11,000 Last reported odometer reading

This CARFAX Vehicle History Report is based only on information supplied to CARFAX and available as of 11/2/16 at 5:42:26 PM (EDT). Other information about this vehicle, including problems, may not have been reported to CARFAX. Use this report as one important tool, along with a vehicle inspection and test drive, to make a better decision about your next used car.

CARFAX Ownership History	
The number of owners is estimated	Owner 1
Year purchased	2014
Type of owner	Personal
Estimated length of ownership	2 yrs. 9 mo.
Owned in the following states/provinces	North Carolina, Pennsylvania
Estimated miles driven per year	4,134/yr
Last reported odometer reading	11,000

CARFAX Title History	
CARFAX guarantees the information in this section	Owner 1
Salvage Junk Rebuilt Fire Flood Hail Lemon	Guaranteed No Problem
Not Actual Mileage Exceeds Mechanical Limits	Guaranteed No Problem

CARFAX VEHICLE HISTORY REPORT FOR THIS 2011 FORD FOCUS SE, 1FADT3FZJEL42721 Page 2 of 4



GUARANTEED - None of these major title problems were reported by a state Department of Motor Vehicles (DMV). If you find that any of these title problems were reported by a DMV and not included in this report, CARFAX will buy this vehicle back. [Register](#) | [View Terms](#) | [View Certificate](#)

CARFAX Additional History

Not all accidents / issues are reported to CARFAX

Owner 1

- No Issues Reported
- No Issues Reported
- No Issues Reported
- No Issues Indicated
- No Issues Reported

Recall Reported

- Warranty Active

Total Loss

No total loss reported to CARFAX.

Structural Damage

No structural damage reported to CARFAX.

Airbag Deployment

No airbag deployment reported to CARFAX.

Odometer Check

No indication of an odometer rollback.

Accident / Damage

No accidents or damage reported to CARFAX.

Manufacturer Recall

At least 1 manufacturer recall requires service. Locate an authorized [Ford or Lincoln Mercury dealer](#) or call 866-436-7332 to obtain more information about this recall.

Basic Warranty

[Original warranty](#) estimated to have 3 months or 25,000 miles remaining.

Glossary

CARFAX Detailed History

Owner 1

Purchased: 2014
 Type: Personal
 Where: North Carolina, Pennsylvania
 Est. miles/year: 4,134/yr
 Est. length owned: 3/1/14 - present
 (2 yrs. 9 mo.)

Low mileage!
 This owner drove less than the industry average of 15,000 miles per year.



Date:	Mileage:	Source:	Comments:
11/30/2013		NICB	Vehicle manufactured and shipped to original dealer
12/06/2013	7	Dunn Benson Ford Dunn, NC 910-892-2800 dunnbensonford.com	Vehicle offered for sale
12/07/2013		Dunn Benson Ford Dunn, NC 910-892-2800 dunnbensonford.com	Pre-delivery inspection completed Nitrogen fill tires Safety Inspection performed
02/01/2014		Dunn Benson Ford Dunn, NC 910-892-2800 dunnbensonford.com	Vehicle sold
02/01/2014		North Carolina Motor Vehicle Dept. Hope Mills, NC	Titled or registered as personal vehicle
02/05/2014		AmeriCredit Financial Services Arlington, TX 888-258-9637 americredit.com	Loan or lien reported
02/06/2014		North Carolina Motor Vehicle Dept. Hope Mills, NC	Title or registration issued First owner reported Loan or lien reported

• FINGERPRINTS AND EVIDENCE FOCUS SET: TRADP3FZ0EL22/221 Page 3 of 4

03/05/2014		Title #77761214037156X	
		Ford Motor Company	Manufacturer Customer Satisfaction Program issued Program #12M02 SYNC WITH MYFORD MYLINCOLN TOUCH WARRANTY EXTENSION COVERING ACCESSORY PROTOCOL INTERFACE MODULE APIM
03/14/2014	640	Dunn Benson Ford Dunn, NC 910-892-2800 dunnbensonford.com	Locate an authorized Ford or Lincoln Mercury dealer or call 866-436-7332 to obtain more information
01/02/2015		North Carolina Motor Vehicle Dept. Hope Mills, NC Title #77761214037156X	Maintenance inspection completed Battery/charging system checked Brakes checked Tire condition and pressure checked
02/18/2015		Ford Motor Company	Registration issued or renewed Loan or lien reported
01/28/2016	6,898	Pennsylvania Motor Vehicle Dept. Leola, PA Title #7566572901 SM	Manufacturer Customer Satisfaction Program issued Program #14M02 TRANSMISSION CONTROL MODULE EXTENDED WARRANTY COVERAGE
02/23/2016	7,218	Double D Service Center Leola, PA	Locate an authorized Ford or Lincoln Mercury dealer or call 866-436-7332 to obtain more information
02/24/2016	7,223	Inspection Station	Title issued or updated Registration updated when owner moved the vehicle to a new location
09/01/2016		Ford Motor Company	Oil and filter changed Emissions inspection performed Emissions or safety inspection performed
09/29/2016	11,000	Double D Service Center Leola, PA	Passed emissions inspection Manufacturer Safety recall issued Recall #16S30 DOOR LATCH REPLACEMENT Status: Remedy Not Yet Available
			Locate an authorized Ford or Lincoln Mercury dealer or call 866-436-7332 to obtain more information
			Light bulb(s) replaced

Have Questions? Consumers, please visit our Help Center at www.carfax.com. Dealers or Subscribers, please visit our Help Center at www.carfaxonline.com.



Glossary

[View Full Glossary](#)

First Owner

When the first owner(s) obtains a title from a Department of Motor Vehicles as proof of ownership.

Ford or Lincoln Mercury Recall

The Ford Motor Company provides Carfax with Field Service Action and recall information regarding safety, compliance and emissions programs announced since 2000 for a specific vehicle. For complete information regarding programs or concerns about this vehicle, please contact a local Ford or Lincoln Mercury Dealer.

Manufacturer Recall

Automobile manufacturers issue recall notices to inform owners of car defects that have come to the manufacturer's attention. Recalls also suggest improvements that can be made to improve the safety of a particular vehicle. Most manufacturer recalls can be repaired at no cost to you.

Ownership History

CARFAX defines an owner as an individual or business that possesses and uses a vehicle. Not all title transactions represent changes in ownership. To provide estimated number of owners, CARFAX proprietary technology analyzes all the events in a vehicle history. Estimated ownership is available for vehicles manufactured after 1991 and titled solely in the US including Puerto Rico. Dealers sometimes opt to take ownership of a vehicle and are required to in the following states: Maine, Massachusetts, New Jersey, Ohio, Oklahoma, Pennsylvania and South Dakota. Please consider this as you review a vehicle's estimated ownership history.

Title Issued

A state issues a title to provide a vehicle owner with proof of ownership. Each title has a unique number. Each title or registration record on a CARFAX report does not necessarily indicate a change in ownership. In Canada, a registration and bill of sale are used as proof of ownership.

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Covered by United States Patent Nos. 7,113,853; 7,778,841; 7,598,512, 8,600,823; 8,595,079; 8,606,648; 7,505,838.

11/2/16 5:42:26 PM (EDT)

I have reviewed and received a copy of the CARFAX Vehicle History Report for this 2014 FORD FOCUS vehicle (VIN: 1FADP3F25EL227221), which is based on information supplied to CARFAX and available as of 11/2/16 at 5:42 PM (EDT).

Customer Signature	Date	Dealer Signature	Date
--------------------	------	------------------	------

POSS-ARMEMENT

SAFETY IS THE FUEL OF PROGRESS

REMOVE TO EXPOSE ADHESIVE

[View All Products](#)

WHAT TO READ AWAY

ANSWER TO THE QUESTION

• 100 •

三

BUYERS GUIDE

IMPORTANT: Spoken promises are difficult to enforce. Ask the dealer to put all promises in writing. Keep this form.

FORD
VEHICLE MAKE

FOCUS

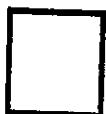
2014

1FADP3F25EI227221

170121A
DEALER STOCK NUMBER (Optional)

I ACKNOWLEDGE RECEIPT OF THIS BUYER'S
GUIDE AT THE CLOSING OF THIS SALE.

WARRANTIES FOR THIS VEHICLE:



AS IS - NO WARRANTY

YOU WILL PAY ALL COSTS FOR ANY REPAIRS. The dealer assumes no responsibility for any repairs regardless of any oral statements about the vehicle.



XX WARRANTY

FULL **LIMITED WARRANTY.** The dealer will pay _____ 100% of the labor and _____ 100% of the parts for the covered systems that fail during the warranty period. Ask the dealer for a copy of the warranty document for a full explanation of warranty coverage, exclusions, and the dealer's repair obligations. Under state law, "implied warranties" may give you even more rights.

SYSTEMS COVERED:

DURATION:

12 MONTHS OR 12,000 MILES;
WHICHEVER OCCURS
FIRST

SERVICE CONTRACT. A service contract is available at an extra charge on this vehicle. Ask for details as to coverage, deductible, price, and exclusions. If you buy a service contract within 90 days of the time of sale, state law "Implied warranties" may give you additional rights.

**PRE PURCHASE INSPECTION: ASK THE DEALER IF YOU MAY HAVE THIS VEHICLE INSPECTED BY YOUR
MECHANIC EITHER ON OR OFF THE LOT.**

SEE THE BACK OF THIS FORM for important additional information, including a list of some major defects that may occur in used motor vehicles.

WE OWE

DATE: 11/02/2016
 NAME: HOWARD B WRIGHT
 ADDRESS: 326 GAY ST YORK PA 17401
 PHONE: (717)430-7276

VIN #: 1FADP3F25EL227221
 MAKE: FORD
 MODEL: FOCUS
 YEAR: 2014

1. NOTHING OWED OR PROMISED	INITIAL: H B W
2. VEHICLE DELIVERED AS EQUIPPED	INITIAL: H B W
3. (Carfax received)	INITIAL: H B W
4. (Carfax received)	INITIAL:
5.	INITIAL:
6.	INITIAL:
7. SATISFIED WITH VEHICLE PREPARATION	INITIAL:
8. WAS WARRANTY EXPLAINED	INITIAL:
9. WERE OPERATING FEATURES EXPLAINED	INITIAL:
10. COMPLETELY SATISFIED	INITIAL:
11. MANAGER'S SIGNATURE	INITIAL:

transferred here and there for my convenience purposes, that may affect the exchange upon transfer of ownership. Failure to complete or furnish a title statement may result in fines and other legal measures.

I, (Transferor's name, Print) declare that I have read the above information concerning the vehicle(s) listed below and that to the best of my knowledge there are no concealed or undeclared items which would detract from the value of the vehicle(s). I hereby declare this statement to be true.

I, (1) I hereby certify that to the best of my knowledge the odometer reading reflects the actual mileage of the vehicle for which it is registered.

I, (2) I hereby certify that the odometer reading is NOT the actual mileage.

VEHICLE IDENTIFICATION NUMBER

YEAR	MAKE	MODEL
2004	TOYOTA	RAV4

X TRANSFEROR'S SIGNATURE

PRINCIPAL NAME

TRANSFEE'S ADDRESS (STREET)

CITY	STATE	ZIP CODE
WICHITA	KS	67206-000

TRANSFER STATEMENT

X TRANSFEREE'S SIGNATURE

PRINCIPAL NAME

TRANSFEE'S ADDRESS (STREET)

CITY	STATE	ZIP CODE
WICHITA	KS	67206-000

WAVY FORDING CORPORATION

1000 N. WICHITA ST. • WICHITA, KS 67204 • 316-265-1111

WEBSITE: WWW.WAVYFORDING.COM • E-MAIL: INFO@WAVYFORDING.COM





1009 North Prince Street • P.O. Box 4767 • Lancaster, PA 17604
www.lancastermitsubishi.net

RECEIVED

DEC 22 2017

December 19, 2017

PA Office of Attorney General
Consumer Protection - Harrisburg

Commonwealth of Pennsylvania
Office of Attorney General
Bureau of Consumer Protection
Harrisburg Office
15th Floor, Strawberry Square
Harrisburg, PA 17120

Re: Howard B. Wright, Jr.
BCP-17-05-021006

Dear Mr. Mauser:

I'm writing in response to your letter dated December 13, 2017 regarding the above named individual and complaint.

Enclosed please find a copy of Lancaster Mitsubishi's Delivery Items checklist. This checklist is signed by Mr. Wright and clearly indicates he received two (2) keys to his vehicle the day of delivery, 11/2/2016. The form is also signed and dated by my salesperson on the same day.

In addition, the We Owe form included with Mr. Wright's complaint clearly indicates that nothing is owed to him.

Thank you for your prompt attention to this matter. If you should require any additional information from me please do not hesitate to contact me directly.

Sincerely,

Hailu Tilahun
VP/GM

Enclosures

Exhibit 7

FEARING THE DARK: THE USE OF WITCHCRAFT TO CONTROL HUMAN TRAFFICKING VICTIMS AND SUSTAIN VULNERABILITY

Luz. E. Nagle*
Bolaji Owasanoye**

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* Professor of Law, Stetson University College of Law, Florida.

** Professor, Nigerian Institute of Advanced Legal Studies and Executive Director, Human Development Initiatives, Lagos, Nigeria.

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Vulnerability is a silent social disease. Many societies live with it and do not take firm and sustainable actions to face it until the consequences erupt in violent and dramatic forms.¹

INTRODUCTION

The use of cultural superstitions and occult rituals is a powerful means to control a human trafficking victim and reaches to the depths of one's psychological vulnerability. Combined with other conditions that render a person vulnerable to being trafficked—such as poverty, lack of opportunity, and violent conflict—an individual can become so frightened by the omnipotent powers of the spirit world as to be rendered entirely incapable of resisting criminal acts and human rights violations. In fact, invoking witchcraft to assert control and coercion is so insidious in many cultures that "even once victims have been identified and removed from a trafficking situation by state authorities, there is no guarantee that this will provide sufficient protection for victims to co-operate."²

This article explores the use of witchcraft in human trafficking, the vulnerabilities that cause women and children to become human trafficking victims, and the duty of states to prevent the use of witchcraft in the commission of crimes. Part I of the article looks at the element of vulnerability in human trafficking crimes, and vulnerability due to superstitions and fear. Part II examines the use of religious beliefs to commit criminal acts and describes some of the representative forms of witchcraft that have been found to be part of human trafficking. Part III examines the use of witchcraft in human trafficking cases coming out of Africa and in the Americas. Part IV considers the challenge of helping trafficking victims overcome the influence of witchcraft that had kept them vulnerable and under control. We will also look at the duty of States to prevent the use of witchcraft in human trafficking and to educate vulnerable populations in order to make them less susceptible. Part V concludes the article.

1. Special Rapporteur on the sale of children, child prostitution and child pornography, ¶ 25, U.N. Doc. E/CN.4/2004/9 (January 5, 2004) (by Juan Miguel Petit).

2. *Spellbound: Witchcraft and Human Trafficking*, TRAFFICKING RES. PROJECT, <https://theraffickingresearchproject.wordpress.com/spellbound-witchcraft-and-human-trafficking/> (last visited Feb. 1, 2016).

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FEARING THE DARK

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PART I

Vulnerability as an Element of Trafficking

Those who seek to exploit another human being depend on conditions in which a myriad of factors render someone vulnerable to becoming victimized. These factors are well known in the literature on human trafficking.³ The rhetoric about exploitation of persons overlooks a fundamental distinction between being exploited and being vulnerable, however. The conventional factors we think of that make an individual vulnerable include lack of education, discrimination, poverty, political instability, conflict, and displacement, to name but a few.⁴ But if we look at what *triggers* those factors, we see that the fundamental human rights and civil rights to which a person is entitled may be weak or absent entirely. When there is a negation of this bundle of fundamental rights, vulnerability creates the opportunity for exploitation of the weakest members of society—women and children. The United Nations Committee on the

3. Factors are categorized as push and pull factors. Push factors that compel people to seek to improve their personal and economic situation include:

- High unemployment and poverty;
- Discriminatory labor markets;
- Lack of opportunity to improve one's quality of life;
- Gender or ethnic discrimination;
- Internal conflict and persecution;
- Domestic violence or abuse;
- Proliferation of human rights violations;
- Degraded environmental conditions;
- False expectations of a better life elsewhere, including higher wages, better working conditions, and greater freedom.

Pull factors that feed demand for trafficking victims at points of destination include:

- High demand for cheap or uncompensated labor;
- Weak or no laws against various forms of forced servitude;
- Demand by men looking for commercial sex and bondage arrangements;
- Indifference to social conditions and morality;
- Lack of public awareness;
- Corruption;
- Weak law enforcement;
- Inconsistent application of public policy;
- Entrenched organized crime networks.

See Luz E. Nagle, *Selling Souls: The Effect of Globalization on Human Trafficking and Forced Servitude*, 26 WIS. INT'L L.J. 131, 137-38 (2008).

4. See United Nations Office on Drugs and Crime (UNODC), *An Introduction to Human Trafficking: Vulnerability, Impact, and Action*, Background Paper of the U.N. Global Initiative to Fight Human Trafficking (UN.GIFT), at 71-75 (2008), available at https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf.

Rights of the Child has also emphasized that “[u]naccompanied or separated children in a country outside their country of origin are particularly vulnerable to exploitation and abuse.”⁵

In addition to being subjected to conditions that render an individual susceptible to being victimized, women and children living in cultures and communities where there is a strong connection to the spirit world are uniquely vulnerable to sexual violence and forced servitude. We cannot be certain for how long human traffickers and other predators have used threats and acts of black magic in their arsenal of coercion, inveiglement, and control, but in recent years, evidence of such acts have come to light. At present, the use of superstition to coerce women and children falls largely outside the recognized push and pull factors that characterize human trafficking crimes and crimes of exploitation and enslavement. Consequently, the international conventions and domestic laws in place around the globe to criminalize trafficking, forced servitude, and related crimes present a perplexing gap in addressing the use of superstitions and religious beliefs to assert control over trafficking and forced servitude victims.⁶

Vulnerability Due to Superstitions and Fear

Article 3(a) of the Palermo Protocol⁷ states that human trafficking means:

The recruitment, transportation transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, or abduction or fraud, or deception, or the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

5. United Nations Convention on the Rights of the Child (UNCRC), *General Comment No.6: Treatment of Unaccompanied or Separated Children Outside Their Country of Origin*, 39th Sess., May 17–June 3, 2005, ¶ 50, U.N. Doc. CRC/GC/2005/6 (2005), available at <http://www2.ohchr.org/english/bodies/crc/docs/GC6.pdf>.

6. If a person coerces a victim by means of promising a better job or an education, there are clearly defined penalties. But if a predator coerces a victim by playing upon ones fears of the spirit world, the penalties that apply are less certain.

7. Protocol to Prevent, Suppress and Punish Trafficking in Persons. Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, established pursuant to resolution 53/11 (Dec. 9, 1998), at 2, U.N. Doc. A/53/383 (2000).

This language provides a comprehensive description of the problem of human trafficking and recognizes multidimensional manifestations. We also know that trafficking in persons is a modern form of slavery that often entails physical, psychological and sexual abuse.⁸ Psychological abuse can be linked to the superstitious beliefs of victims that are imbued in their psyches as members of a certain society, community or culture. Traffickers capitalize on both religious/superstitious beliefs and “faith” of the victims, and their ignorance, especially when the victims come from places where spiritual ideas are very strong.⁹

Mechanisms of trafficking in persons are myriad, clandestine and variable. The common systematic factor, however, is the imposition and maintenance of order.¹⁰ Victims of trafficking are usually recruited by intermediaries, middlemen or agents and then passed along the trafficking chain under tight control.¹¹ It is interesting to note that like other forms of abuses and human rights violations, the individual of first contact and middlemen are often not entirely strangers, but family relations and even notable citizens of victims’ nations.¹² The familiar relationship element makes it difficult for a victim to refuse or resist what is happening to her, and difficult for authorities to conduct investigations and bring prosecutions.¹³

The relationship element also makes the imposition of belief systems/voodoo oaths easy, believable, and even readily accepted, particularly if the agents of trafficking present themselves as successful and have been accepted as such within the communities that place a premium value on wealth and emigration to a better place regardless of means.

8. See United Nations Office on Drugs and Crime (UNODC), *An Introduction to Human Trafficking: Vulnerability, Impact, and Action*, Background Paper of the U.N. Global Initiative to Fight Human Trafficking (UN.GIFT), at 82 (2008), available at https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-Background_Paper.pdf.

9. Benjamin Radford, *Spanish Gangs Use Voodoo to Traffic Girls*, DISCOVERY NEWS (June 14, 2015, 08:55 AM), <http://news.discovery.com/human/psychology/spanish-gangs-use-voodoo-to-traffic-girls-150614.htm>.

10. See David Kyle & Marc Scarcelli, *Migrant Smuggling and the Violence Question: Evolving Illicit Migration Markets for Cuban and Haitian Refugees*, 52 CRIME, LAW, & SOC. CHANGE, 297, 308 (March 2009).

11. See Ray Jureidini, *Trafficking and Contact Migrant Workers in the Middle East*, INT’L. MIGRATION, Vol. 48, no. 4, 142 (2010); Jørgen Carling, *Trafficking in Women from Nigeria to Europe*, MIGRATION INFO. SOURCE (July 1, 2005), <http://www.migrationpolicy.org/article/trafficking-women-nigeria-europe>.

12. See Frank Lackso & Marco A. Gramegna, *Developing Better Indicators of Human Trafficking*, BROWN J. WORLD AFFAIRS 179 (Summer/Fall 2003).

13. See Carling, *supra* note 11; see also Jana Arsovská & Popy Begum, *From West Africa to the Balkans: Exploring Women’s Roles in Transnational organized Crime*, 17 TRENDS ORGAN. CRIM. 89 (2014).

Notably, the functioning axiom in societies like Nigeria's is that the end justifies the means. Therefore, if an agent is a successful person, acceding to his or her methods is easily accepted.¹⁴ More troubling is that often ex-victims act as agents and recruiters who assert power over victims.¹⁵ Power relations depend on imbalance and always tilt to the advantage of the agent/syndicate and benefit from political connections (many have links with powerful politicians), financial connections (images of affluence in midst of poverty) and metaphysical connections (association with supposedly powerful cults implying that source of power and influence is metaphysical).¹⁶ Regrettably, the weak status of victims (and their families) diminishes capacity to resist or challenge power or influence, confirming that trafficking in persons is a formidable threat when interfaced with belief systems like voodoo and witchcraft.

Witchcraft, diabolism,¹⁷ black magic, and threatening dire evils from the spirit world take many forms. Not all forms of witchcraft are

14. More than 150 million people are reportedly estimated to migrate annually for economic reasons. See Kelly Hyland, *The Impact of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, HUM. RTS. BRIEF 8, no. 2 (2001): 30-31, 38, <http://digitalcommons.wcl.american.edu/hrbrief/vol8/iss2/12>; see also Majeed A. Rahman, *Human Trafficking in the Era of Globalization: The Case of Trafficking in the Global Market Economy*, TRANSCIENCE J. Vol. 2, no. 1 (2011): 54-71.

15. See U.N.GIFT, The Vienna Forum to Fight Human Trafficking, Vienna, Feb. 13-15, 2008, Profiling the Traffickers, *Characteristics and Traits of Traffickers*, at 5, U.N.GIFT B.P.: 016 (2008), available at <http://www.unodc.org/documents/human-trafficking/2008/BP016ProfilingtheTraffickers.pdf> (last accessed Feb. 1, 2016) (noting that “[s]ome traffickers are former victims themselves. For instance, in some countries, a ‘Madam’ in a destination country supervises, controls and organizes girls and women trafficked for sexual exploitation, coordinates their activities and collects income they make. Many such ‘Madams’ that have been the subject of research started as victims themselves, and once their ‘debt’ has been paid to their own ‘Madam’ they in turn use the same method to make money.”); see also U.N. ON DRUGS AND CRIME, *Human Trafficking FAQS*, <http://www.unodc.org/unodc/en/human-trafficking/faqs.html> (last visited Feb. 1, 2016) (noting that “[f]emale offenders have a prominent role in human trafficking, particularly where former victims become perpetrators as a means of escaping their own victimisation. Most trafficking is carried out by people whose nationality is the same as that of their victim.”).

16. See Osita Agbu, *Corruption and Human Trafficking: The Nigerian Case*, WEST AFRICA REV., Vol. 4, no. 1 (2003); see also Cornelia Helfferich, Barbara Kavemann & Heike Rabe, *Determinants of the Willingness to Make a Statement of Victims of Human Trafficking for the Purpose of Sexual Exploitation in the Triangle Offender-Police-Victim*, 14 TRENDS ORGAN. CRIM. 125 (2011) (analyzing the power dynamics between agents-victims-police which control victims through displays of power or protection by traffickers, while the police are portrayed as the chasers of victims. Isolation and withholding of information can be understood as attempts to enforce these interpretations with the victims; therefore, offenders do not only have physical power but also power of definition.)

17. One definition of diabolism entails “having dealings with the Devil or his agents, . . . the use of magic powders or unguents, attendance at a ‘Devil’s Sabbath,’ or flying through the air.” See Noel D. Johnson & Mark Koyama, *Taxes, Lawyers, and the Decline of Witch Trials in France*, 57 J.L. & ECON. 77, 81 (2014).

considered evil, however. Witchcraft can be invoked to ensure plentiful rain, to ward off the evil eye, and to ensure virility.¹⁸ In Afro-Caribbean cultures, witchcraft is known as Santería. In Latin America, it is called *brujería*. In the southern United States, black magic is practiced in the form of voodoo (or vodou or hoodoo) rituals descendant from Native American and Afro-Haitian origins. In Africa, witchcraft is generally referred to as voodoo and Juju (swearing an oath to a deity or supernatural object for protection or punishment).¹⁹ In India, witchcraft known as Daayan or churel is found in many villages, and fear of these occult forms frequently leads to the killings of suspected practitioners.²⁰

Specific forms of witchcraft follow the cultural migrations of communities that observe practices of the occult. One may find vodou witch-doctors in urban settings in New Orleans as readily as in remote regions of Haiti.²¹ Beliefs and practices in the Americas share similar traits with beliefs and practices in Africa and Asia, and reflect the patterns of the slave trade and forced diaspora from Western Africa centuries ago. The common thread among diabolist beliefs is that “[t]he invisible forces of the occult are believed to have causal efficacy, to cause good fortune, or to produce harm” when invoked in a way to control the individual targeted.²² Consequently, and because much of the rituals involve powerful symbols, bloodletting and animal (and in some cases human) sacrifice, and are really quite frightening, belief in witchcraft and black magic invokes visceral responses that emanate from the darkest reaches of the human psyche. In some regions where witchcraft is prominent, entire villages or communities identify with and seek the protection or intervention of a particular

18. See Hallie Ludsin, *Cultural Denial: What South Africa's Treatment of Witchcraft Says for the Future of Its Customary Law*, 21 BERKELEY J. INT'L L. 62, 77 (2003).

19. See Babafemi Ondusi, *Crime Detection and the "Psychic Witness" in America: An Allegory for Re-appraising Indigenous African Criminology*, in AFRICAN LEGAL THEORY AND CONTEMPORARY PROBLEMS: CRITICAL ESSAYS 265, 271 (Oche Onazi ed., 2014).

20. See Terrence McCoy, *Thousands of Women, Accused of Sorcery, Tortured and Executed in Indian Witch Hunts*, WASH. POST (July 21, 2014), <http://www.washingtonpost.com/news/morning-mix/wp/2014/07/21/thousands-of-women-accused-of-sorcery-tortured-and-executed-in-indian-witch-hunts/>; see also *Jharkhand Legislators Suggest Tackling Witchcraft Menace on War Footing*, Z NEWS (Sept. 24, 2015), http://zeenews.india.com/news/jharkhand/jharkhand-legislators-suggest-tackling-witchcraft-menace-onwarfooting_1801460.html.

21. See Danielle N. Boaz, *Dividing Stereotype and Religion: The Legal Implications of the Ambiguous References to Voodoo in U.S. Court Proceedings*, 14 SCHOLAR 251, 256 (2011) (explaining that New Orleans Voodoo represents “a conglomeration of the practices of African slaves imported directly into the region and other slaves from French Caribbean colonies that were brought to Louisiana.”).

22. John Alan Cohan, *The Problem of Witchcraft Violence in Africa*, 44 SUFFOLK U. L. REV. 803, 805 (2011).

anthropomorphic deity.²³ “Those who believe in witchcraft think it is the most likely cause of virtually any unfortunate occurrence, such as illness, accident, fatal lightning strikes, loss of livestock, impotence, crop failure, and drought.”²⁴ As an example, *Newsday Zimbabwe* reported recently that witchcraft may have been used in retaliation when a local magistrate judge “got stuck to his crown chair and suffered a temporary blackout in a suspected case of juju as he delivered judgment against a 38-year-old man accused of raping his maid three times.”²⁵

PART II

Using Religious Beliefs to Advance a Criminal Enterprise

The freedom to practice religions and beliefs is well recognized under international law and domestic legislation. Article 18 of the International Covenant on Civil and Political Rights (ICCPR)²⁶ states that everyone has the right to have or adopt a religious faith or belief and manifest “worship, observance, practice and teaching” in public or in private, “subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.”²⁷

The interpretation of this broad-reaching article suggests that while “Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions,”²⁸ there is wide discretion under international law with regard to the practice of what one would term witchcraft and rituals of the occult and supernatural. For instance, Article 8 of the African Charter on Human and People’s Rights mirrors ICCPR Art. 18 by stating that, subject to law and order, “[f]reedom of conscience, the

23. Akin Ibidapo-Obe, *The Dilemma of African Criminal Law: Tradition Versus Modernity*, 19 S.U. L. REV. 327, 352 (1992) (noting that “[a]ll African communities have local deities upon which they swear.”).

24. Cohan, *supra* note 22.

25. Charles Laiton, *Magistrate Stuck to Chair in Suspected Case of Juju*, NEWSDAY ZIMBABWE (June 20, 2015), <https://www.newsday.co.zw/2015/06/20/magistrate-stuck-to-chair-in-suspected-case-of-juju/>.

26. International Covenant on Civil and Political Rights (ICCPR), No. 14668 at 178, ratified Mar. 23, 1976, 999 U.N.T.S. 172.

27. *Id.*

28. Human Rights Committee (HRC), *General Comment 22, Article 18*, 48th Sess., 1993, adopted by Human Rights Treaty Bodies, at ¶ 2, U.N. Doc. HRI/GEN/1/Rev.1 (1994), available at <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx> (last visited Feb. 1, 2016).

profession and free practice of religion shall be guaranteed.”²⁹ Yet not all African states conform, like South Africa, where the practice of witchcraft is unlawful.³⁰ In the Americas, a federal court in Brazil in 2014 issued a controversial ruling that rituals practiced by Afro-Brazilian cults, such as Candomblé and Umbanda, lack the religious manifestations and traits of a religion.³¹ The judge in that case ruled that “for a belief to be considered a religion, one must follow a basic text – as the Sacred Bible, Torah, or the Koran, (Bíblia Sagrada, Torá or Alcorão in Portuguese) for example – and have a hierarchical structure, as well as a god to be worshipped.”³² Accordingly, witchcraft practices, especially if used to further a criminal enterprise, violate human rights standards and should fall outside the scope of freedom of religion under the law.³³

In some cultures, witchcraft is used to seal agreements between parties and to ensure success in some sort of endeavor.³⁴ In western Africa, human traffickers use ritualistic validations of contracts to trick parents into sending their children to other countries where they believe they are going to receive educations or lucrative work opportunities.

When trafficking victims or their parents agree to “employment” contracts, albeit often based on false information, Voodoo priests are frequently enlisted to perform ceremonies binding victims to oaths of obedience and silence. Belief in these religious rituals is strong, and trafficking victims trust that whatever punishment the priest has indicated—madness, illness, death—will befall them or members of their families if escape is attempted[.]³⁵

On a more fundamental level, employing such practices reinforces serious gender inequalities already embedded in vulnerable societies and violates the rights of girls and women as understood in international legal

29. African Charter on Human and Peoples’ Rights, OAU Doc. CAB/LEG/67/3, rev. 5, 21 I.L.M. 58 (1982) (adopted June 27, 1981, entered into force Oct. 21, 1986), available at <http://www.refworld.org/docid/3ae6b3630.html> (last visited Feb. 1, 2016).

30. See Cohan, *supra* note 22.

31. See Ministerio Publico Federal v. Google Brasil Internet Ltda, Tribunal Regional Federal Da 2A Região, Agravo de Instrumento - Turma Espec. III - Administrativo e Civil, 0101043-94.2014.02.0000 (2014.00.00.101043-0).

32. *Id.*; Tiago Chagas, *Federal Court Defines That Afro-Brazilian Cults, Such as Umbanda and Candomblé Aren’t Religions*, BLACK WOMEN OF BRAZIL (Aug. 4, 2014), <http://wp.me/p1XDuf-5iZ>.

33. Ana Dols Garcia, *Voodoo, Witchcraft and Human Trafficking in Europe* 1, UNHCR Research Paper No. 63 (2009), available at http://www.ecoi.net/file_upload/1930_1382531731_526664234.pdf.

34. *Id.*

35. KATHRYN CULLEN-DUPONT, GLOBAL ISSUES: HUMAN TRAFFICKING 80 (2009), <http://www.scribd.com/doc/44538997/Human-Trafficking-Global-Issues#scribd>.

instruments such as the Convention on the Rights of the Child³⁶ and the Convention on the Elimination of All Forms of Discrimination against Women.³⁷ Where such strong beliefs in the occult and superstitions make up the fabric of many communities, it is understandable that traffickers would use black magic and conjuring the spirit world to coerce, threaten, and control trafficking victims and conflict women.

When witchcraft is used to commit a crime against a vulnerable human being, one or more conditions that vitiate the element of consent are present and exploited. These conditions, set forth in article 3(a) of the Palermo Protocol,³⁸ include:

1. the threat or use of force or other forms of coercion
2. the fear of violence
3. deception or false promises
4. the abuse of power
5. abuse of the victim's position of vulnerability
6. detention or captivity
7. psychological oppression or socioeconomic conditions³⁹

Certainly, each one of these conditions is present in the act of using witchcraft to coerce and control trafficking victims. Most particularly, abuse of a victim's position of vulnerability⁴⁰ is a key element of the impact the introduction of witchcraft rituals has on the trafficking victim because this condition refers to "any situation in which the person involved has no real or acceptable alternative but to submit to the abuse involved."⁴¹

36. Convention on the Rights of the Child (CRC), G.A. Res. 44/25, 44 U.N. GAOR, Supp. No. 49, U.N. Doc. A/44/736 (1989).

37. Convention on the Elimination of All Forms of Discrimination Against Women, adopted Dec. 18, 1979, G.A.Res. 34/180, U.N.GAOR, 34th Sess., Supp. No. 46, at 193, U.N. Doc. A/34/46 (1979) (entered into force Sept. 3, 1981, ratified by Hungary Dec. 22, 1980).

38. See United Nations Convention Against Transnational Organized Crime (UNCTOC), *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, at 41, opened for signature Dec. 15, 2000, T.I.A.S. No. 13127, 2225 U.N.T.S. 209 (entered into force Sept. 29, 2003).

39. See Ryszard Piotrowicz, *The Legal Nature of Trafficking in Human Beings*, 4 INTERCULTURAL HUM. RTS. L. REV. 175, 178 (2009) (citing to Prosecutor v. Kunarac, Kovac, & Vukovic, Case No. IT-96-23-T & IT-96-23/1-A, Judgment, ¶ 118 (June 12, 2002)).

40. ANNE GALLAGHER, THE INTERNATIONAL LAW OF HUMAN TRAFFICKING 32 (2010) (noting that "the concept of abuse of a position of vulnerability is unique to the Palermo Protocol").

41. *Id.*

Representative Forms of Witchcraft

The term witchcraft is something of a catchall for many practices of the occult. The most widely used term to identify witchcraft is the word “voodoo,” although its specific etymology traces to Western Africa, where voodoo beliefs are widespread, mainly in Nigeria, Benin, Togo and Ghana.⁴² Voodoo is a religion based on the existence of an invisible world interconnected to the visible world.⁴³ Ritual oaths are a practice derived from this religion, and it is such oaths that seal the pact between women, for example, who want to move to Europe and traffickers who victimize them. In voodoo rites, traffickers commit to pay all costs of the journey, while the women promise to repay the money, be respectful to the traffickers and agree not to denounce the traffickers to the police.⁴⁴

Voodoo practices are taken quite seriously throughout the region, even in nations where Christianity and Islam are the majority faiths, as in Nigeria and Ghana.⁴⁵ One reporter has described voodoo as follows:

Voodoo is used in various animism religions which believe that there are spirits in all living things. Most voodoo religions are monotheistic, but believe that individuals are in daily contact with spirits. Spirits can be both good and bad; often bad things in life can be credited to bad spirits. In voodoo, many fetishes are used which can help to communicate with spirits or as protection someone [sic] from bad spirits. Fetishes can include masks, food, talismans, tattoos, or books. The voodoo itself is used to contact God or the spirits and can be used to bless or curse people as well as ask for advice . . .

For many victims, voodoo and voodoo ceremonies are quite scary and have a powerful effect on those involved. If victims are Christian or

42. See Chaudhry & Rafi, *Witchcraft to Witch Lore: A Transformation in Concepts and Practices*, 35 J. OF ASIAN CIV. 105 (2012); see also Johan Leman & Stef Janssens, *Creative Adaptive Criminal Entrepreneurs from Africa and Human Trafficking in Belgium: Case Studies of Traffickers from Nigeria and Morocco*, INT'L J. OF CRIM. & SOC. 153 (2013).

43. Enochukwu Uzukwu, *Body and Belief: Exploration in African Ritology. The Magic of Body Language*, JAARBOEK VOOR LITURGIE-ONDERZOEK 199 (March 2008); see also Roland Pierre, *Caribbean Religion: The Voodoo Case*, SOC. OF RELIGION 25 (1977); *Vodun, African Spiritual Religious Systems*, AFR. PEOPLE, http://www.africanholocaust.net/news_ah/voodoo.htm.

44. See *Stolen Pride*, THIS DAY (LAGOS) (Sept. 29, 2015), <http://allafrica.com/stories/201509291383.html>; Carling, *supra* note 11; see also Johan Leman & Stef Janssens, *Creative Adaptive Criminal Entrepreneurs from Africa and Human Trafficking in Belgium: Case Studies of Traffickers from Nigeria and Morocco*, INT'L J. CRIM. SOC. 153 (2013).

45. See Matthew Villemain, *Onderzoek/West African Voodoo: A Technique for Control by Human Traffickers*, CKM! (July 5, 2015), <http://www.ckm-fier.nl/West-African-Voodoo-A-technique-for-control-by-human-traffickers.ashx>.

Islamic, they are often taught that voodoo is bad or evil which only makes the fear more intense.⁴⁶

Similar to voodoo in the power to control victims, ‘juju’ ritual is used to solemnify oaths.⁴⁷ For example, those recruited for work overseas, even as a legitimate contractual arrangement undergo a ‘juju’ ritual that binds them to their trafficker.⁴⁸ Symbolism is a key component of juju. The taking of blood in juju rituals symbolizes the essence of a person’s individual power while taking head hair and pubic hair empowers the individual paying for the ceremony to have control over the victim’s mind and sexuality.⁴⁹ “If someone’s ill, they die or there’s some misfortune in the family, it is thought someone is working against them, they’re using the power of Juju to put a curse on them.”⁵⁰ Academic Mwizenge Tembo cites juju as “one of the most abused, misused, and misconstrued concepts” by Europeans, but importantly notes that amongst its many uses is as a sanction for social behavior.⁵¹

Santería is a syncretistic religion of Caribbean origin.⁵² It is a mixture of several religious beliefs and practices reaching back to the slave trade when Western Africans were brought to the Caribbean, primarily to Cuba and the islands of Hispaniola.⁵³ Santeria is defined as “the way of the

46. *Id.*

47. Adulmumini A. Oba, *Juju Oaths in Customary Law Arbitration and Their Legal Validity in Nigerian Courts*, 52 J. AFR. L. 139, 141 (2008).

48. The Oxford Dictionary describes juju as, “An object of any kind superstitiously venerated by West African native peoples, and used as a charm, amulet, or means of protection; a fetish. Also, the supernatural or magical power attributed to such objects, or the system of observances connected therewith; also, a ban or interdiction effected by means of such an object, and jujuism as ‘the system of beliefs and observances connection with jujus, juju religion.’ *Juju Definition*, OED.com, http://www.oxforddictionaries.com/us/definition/american_english/juju (last visited Feb. 1, 2016).

49. See Paul Peachey, *Sex Traffickers’ Juju Spells to be ‘Reversed’ as Part of Radical New Scheme to Encourage Young African Victims to Come Forward*, INDEP. NEWS (Feb. 14, 2015), <http://www.independent.co.uk/news/uk/crime/sex-traffickers-juju-spells-to-be-reversed-as-part-of-radical-new-scheme-to-encourage-young-african-10046738.html>.

50. Sarah Bell, *Trafficked Girls Controlled by JuJu Magic Rituals*, BBC NEWS (July 7, 2011), <http://www.bbc.com/news/uk-14044205> (quoting Dr. Hermione Harris from the School of Oriental and African Studies).

51. *Spellbound*, *supra* note 2.

52. For a detailed discussion of Santería and the legality of animal sacrifice, see generally Shannon L. Doheny, *Free Exercise Does Not Protect Animal Sacrifice: The Misconception of Church of Lukumi Babalu Aye v. City of Hialeah and Constitutional Solutions for Stopping Animal Sacrifice*, 2 J. ANIMAL L. 121 (2006).

53. See Rod M. Fliegel, *Free Exercise Fidelity and the Religious Freedom Restoration Act of 1993: Where We Are, Where We Have Been, and Where We Are Going*, 5 SETON HALL CONST. L.J. 39, 46 (1994).

saints" and comes from a mixture of African Yoruba and Roman Catholic traditions and practices that emerged during the slave trade in Cuba.⁵⁴ Santería is also known as La Regla de Ochá and the Rule of Osha,⁵⁵ and is believed to be widely practiced throughout the Caribbean basin and among Hispanic communities throughout the United States and worldwide.⁵⁶ Animal sacrifices are an integral part of many Santería rituals, and some practitioners have come into legal problems with municipal and state authorities for sacrificing animals and leaving the carcasses and body parts in public places in violation of local public health ordinances.⁵⁷

In Central America, witchcraft is embodied in the village witch, known as the *bruja*, who is often sought out to foretell fortune or ward off misfortune, to bring fertility to livestock, or conversely to cause havoc on adversaries.⁵⁸ Brujería cuts both ways and can become a spiritual contest between the powers of white witches and black witches. Brujería rituals can include animal sacrifice and be blamed for zombie-ism.⁵⁹ Some brujas do a brisk business from tourists who travel from afar to receive potions, charms, and spiritual protections, paying up to 1000 USD per spell.⁶⁰ One enterprising bruja in a small town in Nicaragua claims clients from Colombia, Panama, and the United States who visit her to help with an unfaithful spouse or male pattern baldness.⁶¹ In Colombia, there is a strong belief in white witches and black witches, and specific rituals are prescribed such as sprinkling a particular kind of salt around the perimeter of a dwelling to ward off evil from entering.⁶² The belief in the village bruja can take disastrous turns, as occurred in 2012 in the Antioquia, Colombia town

54. See Doheny, *supra* note 52; see also Allison J. Cornwell, Note, *Constitutional Law—Free Exercise Clause—Sacrificial Rites Become Constitutional Rights on the Altar of Babalú Aye*, 16 U. ARK. LITTLE ROCK L.J. 623, 625 n.13 (1994).

55. See generally BBC, <http://www.bbc.co.uk/religion/religions/santeria/> (last visited Jan. 22, 2015).

56. Verna C. Sanchez, *Whose God Is It Anyway?: The Supreme Court, the Orishas, and Grandfather Peyote*, 28 SUFFOLK U. L. REV. 39, 43 n.26 (1994).

57. *Id.*

58. According to an interview with the Rev. Rodrigo Ortiz, OFM, a Colombian authority on witchcraft and exorcism. See Claire Luke, *Nicaragua's Diriomo Enchants Visitors with Witchcraft Tourism*, NICARAGUA DISPATCH (June 13, 2013), <http://nicaraguadispatch.com/2013/06/nicaraguas-diriomo-enchants-visitors-with-witchcraft-tourism/>; see also Dave Semirara, *In Search of Real Witches in Nicaragua*, FOX NEWS (Oct. 9, 2013), <http://www.foxnews.com/travel/2013/10/09/in-search-real-witches-in-nicaragua/>.

59. See Jorge Duany, *LA RACIALIZACIÓN DE LA ETNICIDAD EN EL CARIBE HISPANOPARLANTE: HAITIANOS EN REPÚBLICA DOMINICANA Y DOMINICANOS EN PUERTO RICO*, 46 REV. JURIDICA U. INTER. P.R. 739, 748 (2011-2012).

60. Semirara, *supra* note 58.

61. *Id.*

62. Interview with Anonymous, Colombian White Witch, in 2014.

of Santa Barbara where a woman believed to be a witch was beaten and burned to death in her home by residents who claimed that the woman was using witchcraft to make young people sick.⁶³ Given their opportunistic proclivities and the nearly reverent position some brujas hold in their communities, one can assume that a trafficker with a good deal of money to spend would not have great difficulty engaging a less than scrupulous bruja to participate in rituals involving swearing trafficking victims to secrecy.

Witchcraft in North America can take the form of voodoo, vodou or hoodoo, as practiced in the Louisiana bayou and includes “animal sacrifice, singing, drumming, and prayers to the deities.”⁶⁴ Witchcraft is also widely practiced in Native American cultures as well as among Anglo-Americans that adhere to Wiccan beliefs and practices.⁶⁵ Among the Navajo nation, witchery includes making potions from powdered corpses, “especially from the corpses of children, particularly twins,” fingernails, bone and hair.⁶⁶ Regardless of the manifestations and methods, all forms of witchcraft share a common theme of using supernatural forces to place some form of control on the course of a person’s life.

PART III

Nigerian Traffickers and Voodoo

Serious domestic and international human trafficking originates from Nigeria where women and children are trafficked into prostitution rings throughout Europe. In many cases, witchcraft and cult practices are used as a means to coerce, trick, terrorize, exploit, and control Nigerian trafficking victims.⁶⁷

To learn why Nigerian women and children are so exposed to human trafficking, one must know a little about Nigeria and its diverse cultures.

63. *Woman Killed and Burned in Colombia over Suspected Witchcraft*, FOX NEWS LATINO (Sept. 5, 2012), <http://latino.foxnews.com/latino/news/2012/09/05/woman-killed-and-burned-in-colombia-over-suspected-witchcraft/> (last visited Oct. 7, 2015).

64. Boaz, *supra* note 21, at 256.

65. See generally Carmel Sileo, *Religious-Rights Claims by Wiccans Yield Mixed Results*, TRIAL, Sep. 1 2005, at 80.

66. Luke Mastin, *Witchcraft Across the World - Americas*, WITCHCRAFT: A GUIDE TO THE MISUNDERSTOOD AND THE MALIGNED (2009), http://www.witchcraftandwitches.com/world_americas.html. The potions are then used to render curses or protections from the spirit world. *Id.*

67. In 2014 more than 100 Nigerian women were identified as having been trafficked with their “obedience ensured by magic rituals that threaten them with death or infertility.” See Peachey, *supra* note 49.

With more than 150 million people,⁶⁸ Nigeria is Africa's most populous nation and contains more than 350 ethnically diverse and heterogeneous groups within its borders.⁶⁹ Nigeria's 923,768 km² of territory occupies a significant and strategically important area of western Africa, and in fact, ancient sea and land routes used for smuggling and migration originate in or cross through its territory. Weak and dilapidated infrastructure, high poverty (over 70 percent), a low level of education, and high illiteracy are tangible realities in Nigeria, and these background characteristics expose Nigeria to political, economic and religious instability traceable to ethnicity-induced mutual suspicion.⁷⁰

Along with ethnic plurality, there is also religious multiplicity in Nigeria. The three dominant religions are Christianity, Islam, and Traditional practices.⁷¹ Within these are also multiplicities of sects and denominations having varying degrees of fanaticism. Religious practices in Nigeria are based in universal belief in the supreme and the supernatural being popularly called Olodumare (among the Yorubas), Ubangidi (among the Hausas), and Chineke (among the Igbos).⁷² Without exception, within each of these religious structures there is a link between the supernatural and the natural/mundane frequently expressed through strong belief systems.

As a nation, Nigeria officially observes all religious festivals and always declares national public holidays whenever religious festivals are celebrated, especially with regard to Christianity and Islam.⁷³ Religions and the associated belief systems permeate every aspect of the Nigerian people.

68. It is estimated that at least one in four Africans is a Nigerian. See Sahel & W. Afr. Club, *Nigeria*, W. AFR. GATEWAY (2012), www.oecd.org/swac/publications/Nigeria_e-version_en_light.pdf.

69. The three major ethnic groups are the Hausas in the North, Igbo in the East, and the Yorubas in the West. For more statistical information available, see World Statistics Pocketbook, U.N. Statistics Div., Nigeria, UN DATA (Nov. 2015), <http://data.un.org/CountryProfile.aspx?crName=NIGERIA>; Sahel & W. Afr. Club, *supra* note 68; 1 AFRICA AND THE AMERICAS: CULTURE, POLITICS, AND HISTORY 432 (Richard M. Juang & Noelle Morrisette eds., 2008).

70. Omololu Toluwanimi Omololu, *Corruption, Governance and Political Instability in Nigeria*, 1 AFR. J. POL. SCI. INT'L REL. 28, 34-35 (2007).

71. Rose C. Uzoma, *Religious Pluralism, Cultural Differences, and Social Stability in Nigeria*, 2004 B.Y.U. L. REV. 651, 653-55 (2004).

72. See generally LEHMANN & MYERS, MAGIC, WITCHCRAFT, AND RELIGION: AN ANTHROPOLOGICAL STUDY OF THE SUPERNATURAL (1989). See generally Walter L. Barrows, *Ethnic diversity and political instability in Black Africa*, 9 COMP. POL. STUD. 139 (1976). See ODETOLA & AWEDA, MAN AND SOCIETY IN AFRICA: AN INTRODUCTION TO SOCIOLOGY 42 (1983).

73. Kitause & Achunike, *Religion in Nigeria from 1900-2013*, 3 RES. HUMAN. SOC. SCI. 45, 50 (2013); see also *Festivals in Nigeria*, ONLINE NIGERIA, <http://www.onlinenigeria.com/festivals/> (last visited Nov. 24, 2015).

It is impossible to separate the peoples' lifestyles from their religion. The prevalence of strong superstitions is interwoven around the practices of religious sects attached to both the dominant religions and to traditional belief systems. It is these traditional belief systems that are referred to as voodoo and hoodoo in the West.

Reverence to a Supreme Being and/or other gods is due mostly to the belief that God and the gods are unseen, yet potent forces that permeate one's life.⁷⁴ Such forces are abstract yet invocable, spiritual yet real, powerful and physical in effects, especially when brought forth through desecration or failure to respect oaths after the annexation of the powers of unseen beings/spirits.⁷⁵ Belief in and respect for the supernatural and spiritism therefore rests on the conviction of the existence of unseen beings with magical powers. Among the Yorubas of southwestern Nigeria, for instance, Sango (god of thunder) worshippers believe that a thief or anyone that breaks oaths made at a Sango shrine will be struck and killed by thunder.⁷⁶ On the other hand, the magical powers can be harnessed to help religious adherents in everyday existence. Within the purview of traditional religions particularly, unseen beings and spirits include dead ancestors and relations who are still considered members of the family, available to help and protect the family members still living.⁷⁷

Syncretism⁷⁸ with regard to the fusion of pagan religions is also common in Nigerian religious practices. Commitment to the Supreme God

74. See generally Yusufu Turaki, *Africa Traditional Religious System as Basis of Understanding Christian Spiritual Warfare*, LAUSANNE MOVEMENT, <https://www.lausanne.org/content/west-african-case-study>.

75. See generally Temitope Obasaju Stephen, *The Influence of Corruption on Women Trafficking in Nigeria* (May 22, 2013), <http://ssrn.com/abstract=2268485>; see also Rijk Van Dijk, *'Voodoo' on the Doorstep: Young Nigerian Prostitutes and Magic Policing in the Netherlands*, 71 AFR. J. INT'L AFR. INST. 558, 565 (2001); see ODETOLA & AWEDA, *supra* note 72, at 5.

76. E. A. Ajisafe Moore, *THE LAWS AND CUSTOMS OF THE YORUBA PEOPLE* 72 (2013). See generally Marc Schiltz, 1985, *Yoruba Thunder Deities and Sovereignty: Ara Versus Sango*, 80 ANTHROPOS 67, 80 (1985); RICHARD EDWARD DENNETT, *NIGERIAN STUDIES OR RELIGIOUS AND POLITICAL SYSTEM OF THE YORUBA* (1968); see also IMMIGRATION AND REFUGEE BOARD OF CANADA, *Religion That Worships Ogun, Olukun (Olokun), and/or Shango (Sango) and May Be Called "Olokun Ogun Shango"; Number of Adherents; Where in the Country it is Practised and By Whom and Whether This Includes the Bini Ethnic Group [NGA36211.E]* (Feb. 16, 2001), http://www.ecoi.net/local_link/188342/306362_de.html.

77. Turaki, *supra* note 74 (noting "[m]an is not only intimately related to (1) the spirit world, but also to (2) the community of the ancestors, who now live in the past, as well as to (3) the unborn. The life of the community of the living is controlled, maintained and protected by the community of the ancestors. The human community, therefore, is a community of relationships between (1) the ancestors, the 'living-dead,' (2) the living and (3) the unborn descendants. The communal life in this kinship system is 'ancestrally chartered.'").

78. "Syncretism" is defined as "the reconciliation or union of conflicting (as religious) beliefs or an effort intending such." *Syncretism*, WEBSTER'S THIRD NEW INT'L DICTIONARY (2002).

is mixed with faith in minor deities to solve pressing everyday problems.⁷⁹ This paradox makes some devout followers of Christianity and Islam concurrent pupils of diviners and members of voodoo cults, especially when challenges to daily survival compel people to resort to other religious beliefs like witchcraft to provide for various medical, psychological, economic, political power, dispute settlement, and spiritual fortification solutions.⁸⁰

Religious skills, particularly among traditional religious structures, are passed down by oral tradition, which has led to the loss of significant knowledge of traditional religious practices.⁸¹ Often, there is faith and worship confusion in terminology and identity of the various sects and their practices (Juju, voodoo, witch-doctors, medicine men, and so on). These confusions are partly traceable to secrecy and lack of documentation of beliefs and practices, which has not helped clarify misconceptions of their socio-religious roles.⁸² Such secrecy and lack of documentation is precisely what sustains the obnoxious use of religious beliefs by religious leaders who connive with criminal gangs to perpetrate and perpetuate heinous crimes, including human trafficking.

79. Turaki, *supra* note 74 (noting that African divinities are many and have specific areas of influence and control. "Divinities covering different aspects of life, society and community were usually established, such as divinities of the sea or the waters, rain, thunder, fertility, health or sickness, planting or harvest, tribal, clan or family deities." Turaki also discusses in detail the relationship between a Supreme Being and minor divinities which he labels "henotheism" in which "the worship of one god without denying the existence of other gods.").

80. According to Turaki, this paradox stems from a widespread underlying influence of spiritualism present in Nigerian culture, and that "[e]verything man is, does, handles, projects and interacts with is interpenetrated with the spiritual. His socio-cultural structures, down to their finest details, are under the control of the spiritual powers or forces." See Turaki, *supra* note 74.

81. Usually, the practices and information about most aspects of African traditional religion are guarded secretly. These secrets are revealed only to initiates. Those who also have secret information are also under oath not to reveal the secrets to non-initiates. Thus secrecy makes it difficult for non-initiates to have a true understanding of the religions. Unfortunately as the generation of adherents die, so does the tradition become remembered in fewer details. Dislocations, distortions and gaps begin to occur in the body of knowledge of these religions. Since the religions are highly oral and depends on oral transmission, where the priest has died, some religious values, items and knowledge may be lost. See generally IDOWU E. BOLAJI, AFRICAN TRADITIONAL RELIGION: A DEFINITION (1973); IMASOGIE, O., AFRICAN TRADITIONAL RELIGION (1982). Given the absence of written records, facts about African traditional religion are obtained from few available oral sources like priests, initiates or adherents and physical sources like shrines and sacred places, music dance and drama, religious articles and objects, art works and symbols.

82. See generally Hugh B. Urban, *The Torment of Secrecy: Ethical and Epistemological Problems in the Study of Esoteric Traditions*, 37 HIST. RELIGIONS 209 (1998) (discussing the secrecy surrounding many religions and that many cultures actively resist Western attempts to penetrate their treasured knowledge and esoteric traditions); ODETOLA & AWEDA, *supra* note 72.

Against this backdrop the Nigerian government has accelerated its efforts to document cultural knowledge nationwide.⁸³ Generally speaking, Nigeria's varied belief systems are usually humanistic and linked to some form of reward-getting.⁸⁴ Put in pedestal parlance, doing good is good and doing bad is bad. Doing good includes abiding by an oath and doing bad entails some form of oath breaking, and it is summarily believed that people are rewarded on earth for good (keeping an oath, for instance) or punished for iniquities (breaking an oath).⁸⁵ Within this remit people adhere to conditions of oaths even in the face of excruciating pain and even in the face of death.⁸⁶ To ensure respect for an oath and its consequences, adherents of cults and traditional beliefs bind themselves in dramatic ways such as by blood or fetishism that are regarded as having stronger force than a mere contract signed in modern legal jurisprudence.⁸⁷

Since both contract and oaths or covenants are expected to serve the same purposes and be binding even in the same societies, does this make a contract and oath/covenant the same? The following table illustrates some important distinctions:

Contract	Oath Covenant
Contract is an agreement sealed by ordinary promise which may or may not come from the heart	Blood/fetish oath is a covenant sealed by blood or other bodily or sacred artifact
Sealed openly at any place and any time	Sealed in secret at designated place of worship or religious belief
Parties are not sworn to secrecy	Parties are sworn to secrecy
Time bound until fulfillment of	Regarded as eternal, although it

83. See generally Edewor, et. al, *Managing Ethnic and Cultural Diversity for National Integration in Nigeria*, 4 DEVELOPING COUNTRY STUD. 70 (2014).

84. Expectation or reward or sanction is not limited to adherents of traditional religion alone who believe in law of retribution but also the other two dominant religions of Christianity and Islam both of which teach that one reaps what one sows. E.g., *Book of Job* 4:8 ("[e]ven as I have seen, they that plow iniquity, and sow wickedness reap the same."); *Al-Isra* 17:7 ("[i]f you do good, you do good to yourselves. Likewise, if you do evil, you do evil to yourselves.").

85. A. Richard Ogunleye, *Covenant-Keeping among the Yoruba People: A Critique of Socio-Political Transformation in Nigeria*, 3 INT'L J. HUMAN. SOC. SCI. 81, 82-83 (2013).

86. SUUNTAUS PROJECT, HUMAN TRAFFICKING OF NIGERIAN WOMEN TO EUROPE 11 (2015).

87. The oath taken in African traditional belief system is different from an oath taken under the common law statutory declarations system usually backed by oath legislation. The latter could be required for judicial or quasi-judicial proceedings and is sanctioned by punishment for perjury. Oaths under native law and custom are of a deeper consequence and founded on religious and spiritual beliefs of the adherents. See generally ONESIMUS K. MUTUNGI, THE LEGAL ASPECTS OF WITCHCRAFT IN EAST AFRICA WITH PARTICULAR REFERENCE TO KENYA 62-76 (1977).

obligation	may be discharged where agreed obligation is fulfilled
Breach attracts monetary damages or other financial consequence only	Breach attracts spiritual consequences to be inflicted by the deity offended
Punishment may be avoided by various means of influence or escape	Punishment inevitable no matter status or location of adherent

Although human trafficking crime has gained more productive legal and public attention in Nigeria following the enactment of the Trafficking in Persons (Probation) Law Enforcement and Administration Act of 2003,⁸⁸ the ascendancy of human trafficking began much earlier in 1986 after the introduction of World Bank Sponsored Structural Adjustment Programs (SAP).⁸⁹ Human trafficking during the ensuing decade had been ongoing, but regarded not so much as a crime as, perhaps, a necessary survival strategy in a difficult socio-economic terrain. Also, human trafficking was masked by economic migration legally accepted and culturally encouraged. In fact, international migrants were perceived as champions, icons of progress and models in Nigerian societies, with little or no concern about the routes and dynamics of exit from the homeland.⁹⁰ The World Bank SAP programs caused economies in Nigeria (and elsewhere in the region) to collapse and the well being of average Nigerians drastically deteriorated.⁹¹ The challenging survival environments consequently led distressed citizens into many large-scale emigrations toward "greener pasture," particularly in Europe.⁹²

Much to the chagrin of many, however, the pasture was not greener at destination countries, and retuning was often impossible for so many reasons, including the stigma of failure, incapacity to repay emigration

88. Trafficking in Persons (Prohibition) Law Enforcement and Administration (Amendment) Act No. 24 (2003) (Nigeria), <http://www.protectionproject.org/wp-content/uploads/2010/09/Nigeria-TIP-Amendment-Act-2005.pdf>.

89. For an in-depth examination of how the SAP and other multilateral economic reform efforts have impacted African nations, see BOLAJI OWASANOYE, NIGERIAN INST. OF ADVANCED LEGAL STUDIES, INTERNATIONAL DIMENSIONS OF POVERTY 18-39 (2004).

90. AFOLAYAN, et. al., DYNAMICS OF INTERNATIONAL MIGRATION IN NIGERIA 27, 28 (2008).

91. OWASANOYE, *supra* note 89, at 18-39.

92. OSITA OSEMENE & YVONNE AWOSANYA-ADEFAJO, CHASING A MIRAGE- MY SEARCH FOR AN OASIS (2012); *see also* KATHLEEN NEWLAND, HUMAN DEVELOPMENT INITIATIVE, RETURN MIGRATION AND DEVELOPMENT IN NIGERIA: CIRCULAR MIGRATION IN PERSPECTIVE 5 (2009).

loans, and being trapped within emigration or trafficking syndicates. Most of this exodus is traceable to ignorance of international migration landscapes, laziness and greed or a combination of these factors.

Among the Nigerian regions most impacted by human trafficking, particularly with regard to overseas prostitution, is Edo State, where early contact with Portuguese slavers and violence from European expansion and conquest resulted in definitive large scale migrations of the people that persist to present times.⁹³ Edo State was created in 1991 and has an estimated population of 3.218 million residents or 2.29% of Nigeria's total population.⁹⁴ At present, Edo State is the largest source of trafficking in persons for prostitution in Europe; about 80 percent of the estimated 100,000 Nigerians trafficked into Europe originate from Edo.⁹⁵

Five main ethnic groups reside in Edo State, and each is distinct in linguistics, social, and cultural features. These groups are: Benin or Edo people 'proper'; the Esan people; Etsako people; and the Akoko Edo people. As a Niger Delta state, oil drives the Edo economy. Yet, the poverty level is as high as 53% with even higher youth unemployment.⁹⁶ As in many other parts of the world, high poverty in Edo serves as a powerful push factor for forced migration and trafficking in persons.

Cultural and traditional institutions are highly revered in Edo State and are often used to reinforce male dominance. Modern religion is intertwined with beliefs in potent traditional deities and personified in a male spiritual leader called the Oba.⁹⁷ Families in Edo society are patrilineal with strong

93. The emigration orientation of Edo people has a long history beginning with the region being a major (arguably the first) point of contact with Europe with the arrival of the Portuguese in 16th century, as exemplified by the Great Benin Kingdom. The contacts were, however, of mixed outcomes beginning with peace and then wars and conquest that climaxed with the Benin Massacre under Oba Ovoramwen Nogbaisi of Benin. Not many people and kingdoms in Nigeria experienced colonial/European contacts and associated migrations as impactful as the Benin/Edo people.

94. National Population Commission of Nigeria, 2006 Population and Housing Census: Population Distribution by Sex, State, LGAs and Senatorial Districts, Priority Table, Vol. 3 at 17 (2010), <http://www.population.gov.ng/images/Vol%2003%20Table%20DSx%20LGAPop%20by%20SDistrict-PDF.pdf>.

95. *Spellbound*, *supra* note 2.

96. While Nigeria is ranked globally as the 10th largest producer of oil, it simultaneously ranks as one of the six poorest countries due mostly to the havoc of corruption. See Jegede, et. al, *Human Trafficking as the Bane of Human Capital Development in the Nigerian Perspective*, 2 AFR. J. CRIME CRIM. JUST. 16, 22 (2011).

97. Edo deities are: Osanobua, the highest god; Olokun, god of the sea and senior son of Osanobua; Ogun, the deity of iron and metal; Osun, the deity of medicine; Obiemwen, wife of earth source of breeding; Ogiuwu, the deity of death; Orunmila, a Yoruba deity; and Esu, the deity of cunning and power. See generally Naiwu Osahon, *The Correct History of Edo*, EDOFOLKS.COM, <http://www.edofolks.com/html/pub133.htm>.

male influence and polygyny, and women are kept in check by traditional taboos and regulations.⁹⁸

Oath taking is a major feature of worship of deities. Oaths are taken before shrines of various deities to underscore the seriousness of transactions and to ensure compliance. The consequences of oath breaking include madness and tragic and untimely death.⁹⁹ Examples of oath-taking scenarios might include politicians swearing an oath of loyalty to political godfathers, business partners swearing faithfulness to agreements, brotherhoods swearing loyalty among members, and trafficking victims swearing to pay agreed fees for trafficking and not to betray traffickers to the authorities. These practices have been referred to as “occult economies.”¹⁰⁰

Women play no significant roles in worshipping the Traditional deities except in cases where a goddess is worshipped specifically by women and women serve as priestesses.¹⁰¹ In fact, women are forbidden from most shrines, and therefore, women fear the shrines and leave religious jurisdictions to the men.¹⁰² Human traffickers consequently capitalize on this imbalance in religious engagement and power relations with the supernatural by taking naturally fearful victims to dreaded shrines under terrifying conditions to take on oaths and curses to satisfy traffickers’ heinous profiteering and generalized economic agendas.¹⁰³

Once before the shrines, the ritual process itself is based on tradition and occurs in a clandestine manner that has been described as very rhythmic and structured.¹⁰⁴ The rituals imposed on trafficking victims are very complex and dangerous psychological processes. To reinforce the psychological manipulations, victims are made to use myriads of symbols

98. MORIRE OREOLUWAPPO LABEODAN, *THE FAMILY LIFESTYLE IN NIGERIA* 5-6 (2005).

99. See generally MUTUNGI, *supra* note 87.

100. Jean and John Comaroff described these practices as occult economies. See generally Jean Comaroff & John L. Comaroff, *Occult Economies and the Violence of Abstraction: Notes from the South African Postcolony*, 26 AM. ETHNOLOGIST 279 (1999).

101. For an interesting discussion of female-oriented traditional cults, see generally Oluwatosin Adeoti Akintan, *Traditional Religious Festivals and Modernity: A Case Study of Female-Oriented Cults Annual Festivals in Ijebuland of South Western Nigeria*, 3 INT'L J. HUMAN. & SOC. SCI. 267 (2013).

102. See generally Rosalind I.J. Hackett, *Women in African Religions*, RELIGION AND WOMEN 61 (Arvind Sharma ed., 1994); RICHARD EDWARD DENNETT, *NIGERIAN STUDIES OR RELIGIOUS AND POLITICAL SYSTEM OF THE YORUBA* (1968).

103. See Victor Nnamdi Opara, *Emerging issues in the trafficking of African women for prostitution, in THE HUMAN COST OF AFRICAN MIGRATIONS* 165, 181 (Toyin Falola & Niyi Afolabi eds., 2007).

104. F. J. Huxley, *The Ritual of Voodoo and the Symbolism of the Body*, 251 PHIL. TRANSACTIONS BIOLOGICAL SCI. 423, 424 (1966).

that may include taking oaths in the nude, relinquishing pubic hair, finger or toe-nails, underwear and sanitary towels as tangible articles of the oath.¹⁰⁵ A blood oath ceremony may ensue in which victims are forced to drink concoctions mixed with their own blood and hair scraped from their body. The rituals may also entail making incisions on parts of a victim's body, a practice that is common in many African traditional religions.¹⁰⁶ The very personal nature of such rituals and intensely personal exposure constitutes an intentional, grand design to create irrational fear in the mind of the victim and therefore becomes a major instrument of control.

Voodoo priests and witch-doctors will then recite incantations and request victims to repeat some lines after them, and they may make victims perform symbolic rituals like picking a gourd from a drawn circle on the floor and hitting it three times on their forehead and chest. Trafficking victims are then made to swear to secrecy, to loyalty, to protecting a traffickers' identity, and to paying the costs of being transported to Europe. They are made to declare that they are beneficiaries of traffickers' kindness and that with their mouths and souls they invite relevant deities to visit them with evils such as sickness, misfortune, and death if they betray traffickers to police, immigration or other authorities in destination countries, as well as if victims fail to pay the amount specified in the "contract." The substance of such a curse oath is for evil to stalk the victim and/or her family if she does not keep to the covenant. Some oaths may be taken with photos of foreign clients or collaborators to give the impression that the spell of the oath binds them as well.

Victims are told that the monetary cost of being transported is relatively low at the initial stage, but the figure is always hiked to prohibitive amounts once trafficked individuals arrive in Europe.¹⁰⁷ This is

105. "Hair, nails, or menstrual bloods can be used to make concoctions which are either used in the ceremony or are kept by the priest symbolizing that part of the victim is remaining in Africa with the possibility that it will be used later if victims do not cooperate . . . Victims can also be scared with cuts that are filled with ashes under the skin in order to please spirits and remember their oath. This idea of branding has been used by traffickers from all cultures, but the voodoo ritual adds a religious component to the scaring." Matthew Villemain, *Onderzoek/West African Voodoo: A Technique for Control by Human Traffickers*, CKM, (July 5, 2015) <http://www.ckmfier.nl/West-African-Voodoo-A-technique-for-control-by-human-traffickers.ashx>. "Victims can also be scared with cuts that are filled with ashes under the skin in order to please spirits and remember their oath. This idea of branding has been used by traffickers from all cultures, but the voodoo ritual adds a religious component to the scaring."

106. Ogunleye, *supra* note 85, at 82.

107. For example, typical costs range from US \$500 to US \$2,000 for documents and US \$8,000 to US \$12,000 for the travel, but the debt incurred by the victim is typically inflated to between US \$40,000 and US \$100,000. Jørgen Carling, *Trafficking in Women from Nigeria to Europe*, MIGRATION POL'Y INST. (July 1, 2005), <http://www.migrationpolicy.org/article/>

a universal tactic among human traffickers and is done in order to keep victims in a state of perpetual loyalty, with the ultimate purpose of enriching the traffickers.¹⁰⁸ Later, the traffickers reinforce superstitious fears by using amulets and spells to control trafficked women once arrived at destinations in the United Kingdom and elsewhere in the European Union.¹⁰⁹

The rituals are concluded when the symbols of the oath taking are labeled and deposited in the shrines as points of contact in case of default.¹¹⁰ This manner of perfecting the oath contract mimics and mirrors modern justice processes in that the traffickers and victims, through occult intermediaries (voodoo priests and witch-doctors), establish and preserve evidence of a covenant. It is also a method to assert continuing control of the victims, especially with regard to any photos taken, which can later be used as a form of blackmail if there is evidence of non-cooperation or discord.¹¹¹

The United Kingdom has had three notorious Nigerian human trafficking cases since 2011 involving witchcraft to control victims. In July 2011, a British man, Anthony Harrison, held two young Nigerian girls, ages 14 and 16, from Edo State as virtual captives before attempting to traffic them to Greece and Spain for prostitution.¹¹² They had been brought to the UK after being sold into prostitution with the conspiracy of a juju priest.¹¹³

traffickingwomennigeriaeurope; see also Opara, *supra* note 103, at 183; see also Uyanga, et. al, *Female Indebtedness and Enslavement: A Study of Relationships and Trends in Nigeria*, 3 ASIAN J. SOC. SCI. HUMAN. 44, 46 (2014).

108. Roseline Emeh Uyanga, et al., *Female Indebtedness and Enslavement: A Study of Relationships and Trends in Nigeria*, 3 ASIAN J. OF SOC. SCI. & HUMAN. 44, 45 (2014); see also James Badcock, 'Voodoo sex slaves' freed from blackmail by Spanish police, THE TELEGRAPH (June 8, 2015, 4:37 PM), <http://www.telegraph.co.uk/news/worldnews/europe/spain/11659882/Voodoo-sex-slaves-freed-from-blackmail-by-Spanish-police.html>.

109. Emma Anderson, *Busted: Gang that Used Voodoo to Exploit Women*, LOCAL (June 8, 2015, 2:00 PM), <http://www.thelocal.es/20150608/police-catch-voodoo-human-trafficking-group-prostitution>.

110. See Eva Lo Iacono, *Victims, Sex Workers and Perpetrators: Gray Areas in the Trafficking of Nigerian Women*, TRENDS ORGANIZED CRIME 110-128 (2014); O.C. Osezua, *Transmogrified Religious Systems and the Phenomenon of Sex Trafficking Among the Benin People of Southern Nigeria*, 2 AFRREV IJAH: AN INT'L J. ARTS & HUMAN. 20 (2014); see also ONIGU OTITE & WILLIAM OGIONWO, *AN INTRODUCTION TO SOCIOLOGICAL STUDIES* (1981).

111. Bakhyt Moldatjaevich Nurgaliyev & Alexey Vladimirovich Boretsky, *Resistance to Investigation of Crimes, Related to Human Trafficking: The Forms, Methods and Ways to Overcoming*, 6 MEDITERRANEAN J. SOC. SCI. 86, 88 (2015); see also *Stolen Pride*, THIS DAY LIVE, <http://www.thisdaylive.com/articles/stolen-pride/221411/>.

112. *Man Jailed for Trafficking Nigerian Girls Out of UK*, BBC NEWS (July 7, 2011), <http://www.bbc.com/news/uk-england-14065838>.

113. *Id.*

What is notable about both the girls is that each had been subjected to serious physical and sexual abuse from an early age.¹¹⁴ Their mental state and incapacity to have any form of control over their lives made them particularly vulnerable to the ominous threats of punishment from the spirit world, and indeed, their fear of the juju spells cast over them was so great that it took police investigators nearly two years to persuade the girls to talk about their ordeal. One of the girls was even fully convinced that she would die if she testified in court.¹¹⁵

The tactics used to gain control of the two victims through voodoo rituals is worth noting as a stark example of the brutality of the acts.

Girl A endured a ritual in which she was stripped and cut with a razorblade so her blood could be collected. Her body hair was shaved off and she was forced to lie naked in a closed coffin for hours. She then had to eat a raw chicken heart.

Girl B was taken to a river where she was told to eat white clay, had a rock passed from a priest's mouth to hers, was given black soap to wash with and a raw chicken's egg to eat.¹¹⁶

Dr. Harris, who appeared as an expert witness at the trial, said: "The rituals they underwent, which were particularly terrifying, were to instill a maximum amount of terror and imprint on these two very vulnerable young women that they mustn't step out of line or give any information about their experiences."¹¹⁷

Less than a year later, in 2012, Osezua Osolase, a 42 year-old Nigerian man living in Kent, England was found guilty of five counts of trafficking, one of rape and one of sexual activity with a child and sentenced to twenty years in prison in connection with trafficking three Nigerian girls, ages 14, 16, and 17, for prostitution in Europe.¹¹⁸ In the case of the 16-year-old girl, she was taken to a house in Lagos where she was told to bathe with what

114. Sarah Bell, *Trafficked Girls Controlled By Juju Magic Rituals*, BBC NEWS (July 7, 2011), <http://www.bbc.com/news/uk-14044205> (noting that Girl A was physically and sexually abused by her uncle and Girl B was an orphan baby taken in by a man who treated her as a "domestic drudge" and frequently beat her).

115. *Id.*

116. *Id.*

117. *Id.*

118. *Osezua Osolase Jailed for 'Juju' Rituals Trafficker*, BBC NEWS (Oct. 29, 2012), <http://www.bbc.com/news/uk-england-20125115>; *Osezua Osolase Used Witchcraft on Trafficked Girls*, BBC NEWS (Oct. 26, 2012), <http://www.bbc.com/news/uk-england-20096101>.